

T-10403

T-10403

RA

Name Clatsop County Economic Development
 By Council Fisheries Project
 Address 800 Exchange Street, Suite 300
Astoria, OR 97103
503-325-1000

Change in POD
 Date filed 6-6-07
 Date of hearing _____
 Place of hearing _____
 Date of order 2-15-08 Vol. 74, page 193
 Date for application of water _____
 Proof mailed _____
 Proof received COBAC 10/14/2009 letter sent
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream South Fork Klaskanine River
 Trib. of Klaskanine River County of Clatsop
 Use Aquaculture
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority 8-31-1979 / 10-21-1981
 In name of CCEDC
 _____ Adjudication, Vol. _____, page _____
 App. No. S-59290 Per. No. S-44782 Cert. No. 63289
S-62991 S-46895 63301
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-6-07</u>	<u>300.00</u>	<u>87991</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Agent: Tod Jones: 2001 Marine Drive, Rm 253, Astoria, OR 97103 / NO CWRE
Clatsop County: 800 Exchange Street, Ste 200, Astoria, OR 97103
Landowner: Weferhaeuser Corporation: 86645 Lewis + Clark Rd: Astoria, OR 97103
Contractor: Terrance Anthony
Public Notice: 6/12/2007

Completion Checklist for CWRE Claims of Beneficial Use



Date Received 10/14/2009
 CWRE Name Wm. L. Flatz
 Claim Logged 10/15/2009
 File Marked 10/15/2009
 Oversized Map # _____
 Read the file and attach a copy of the
 permit or transfer final order. _____

Application # _____
 Permit # _____
 Transfer # T10403
 Date 10/15/2009
 Reviewer C.O.

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))
- ☒ Source illustrated if surface water (OAR 690-014-0170(3))
- ☒ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- ☒ Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- ☒ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- ☒ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- ☒ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- ☒ On form or format 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)
- ☒ Tax lot information (OAR 690-014)
- ☒ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- ☒ Source(s) of water (OAR 690-014-0100)
- ☒ Point of diversion/appropriation location (OAR 690-014-0100)
- ☒ Use, period of use, and rate for use (OAR 690-014-0100)
- ☒ Place of use location (OAR 690-014-0100)
- ☒ Type of use (OAR 690-014-0100)
- ☒ Extent of use (OAR 690-014-0100)
- ☒ Rate and Duty (OAR 690-014-0100)
- ☒ Diversion rate for each use (OAR 690-014-0100)
- ☒ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- ☒ System capacity (OAR 690-014-0100)
 - ☒ Calculated capacity of system (required)
 - ☒ Measured amount of use (optional)
- ☒ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - ☒ Time limits
 - ☒ Initial water level measurements
 - ☒ Annual static water level measurements
 - ☒ Measurement, recording, and reporting
 - ☒ Meter/measuring device
 - ☒ Water use reporting
 - ☒ Fish screening and/or by-pass
 - ☒ Pump test (ground water)
 - ☒ Other conditions
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
 N/A = Not Applicable

Certificate Issuance Processing Checklist

____ Map and COBU reviewed
____ Conflict check (include copy of plat card printout)
____ Check for ownership

Any Conflicts? _____

Staff Recommendations:

____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

____ Proof to the Satisfaction has not been established for the following reasons: _____

Proposed Actions:

Send letter requesting the following items/information: _____

____ Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

____ Yes

If "Yes":

____ Proposed

____ Final

Certificate # _____

Mailing list:

Proposed:

Final:



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

October 19, 2009

Clatsop County
Steve Meshke
1100 Olney Ave
Astoria OR 97103

On October 14, 2009 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application T-10403

The COBU included a report and map. The Department hopes to review your submittal within approximately 2-4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.



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Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

CLAIM OF BENEFICIAL USE

A fee of \$150 must accompany this form to be accepted. (ORS 536.050(1)(x))

(NOTE: As informed by OWRD the \$150 fee does not apply to transfers, no fee included.)

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 numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete 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. A separate form shall be completed for each permit or transfer final order.

I. General Information

1. File Information

Application Number (G, R, S or T)	Permit Number (if applicable)
T-10403	Permits associated with transfer, S-46895, S-44782

2. Property owner (current owner information)

Note: The place of use, T7N, R8W, section 30, taxlot 700 is owned by Clatsop County.

The point of diversion, T7N, R8W, tax lot 3100, is located in the NW/NE Section 31, the property was owned by Weyerhaesuer and was purchased by The Campbell Croup, LLC.

The pipeline to the hatchery pond crosses, T7N, R8W, tax lot 4900, is located in the NE/NW Section 31, the property was owned by Weyerhaesuer and was purchased by The Campbell Croup, LLC.

a. Individuals

Name	
Mailing Address	
City/State/Zip	
Phone #	
Fax #	
e-mail address	

Place of Use:

b. Businesses/Organizations

Name	Clatsop County
Contact Person and Title	Steve Meshke, Natural Resources Manager
Mailing Address	1100 Olney Avenue
City/State/Zip	Astoria, Oregon 97103
Phone	503-741-0767
Fax	503-325-2753
e-mail	spmeshke@co.clatsop.or.us

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Point of Diversion and pipeline to aquaculture pond:**b. Businesses/Organizations**

Name	Lewis & Clark Oregon Buyer, LLC, The Campbell Group, LLC
Contact Person and Title	Stanley G. Renecker, John Gilleland
Mailing Address	One S.W. Columbia, Suite 1700
City/State/Zip	Portland, Oregon 92582-2039
Phone	
Fax	
e-mail	

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department. The COBU must be signed by the permit/transfer holder of record.

3. Permittee / Transferee of record (this may, or may not, be the current property owner)**a. Individuals**

	Individual 1	Individual 2
Name		
Mailing Address		
City/State/Zip		

b. Businesses/Organizations

Name	Clatsop County Economic Development Council Fisheries Project
Contact Person and Title	Steve Meshke, Natural Resources Manager
Mailing Address	1100 Olney Avenue
City/State/Zip	Astoria, Oregon 97103

4. Date of Site Inspection: 7-21-09**5. Person(s) interviewed and description of their association with the project:**

Name	Date	Association with the project
Steve Meshke	7-21-09	Natural Resources Manager

6. County:

Clatsop

7. Tax Lot Information:

Tax map number	Tax lot number
7.8.30	TL 700 (place of use)
7.8	TL 3100 (point of diversion)
7.8	TL 4900 (pipeline crossing)

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8. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(3)):

**Mark "NA" if there are no owners of property not included in this claim

Name	N/A
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone #	

II. Points of Diversion/Appropriation and Place of Use

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

The water is diverted through a lift gate structure at the edge of the South Fork of the Klaskanine River. The old concrete diversion dam has been removed, a series of riffles were constructed to provide flow to the diversion gate and allow free passage of the fish. A winter storm disturbed the rifle system and the Clatsop County Fisheries Council is in the process of permitting to repair the riffles. At the time of inspection the riffles were working with the aid of a few hand placed sand bags. The water flows through approximately 100' of ditch to the fish screen. The fish screen was designed and is maintained by ODFW. The fish screen structure allows bypass flow to return to the river through 12" PVC pipe. The fish screen is self cleaning powered by the water flow downstream of the fish screen.

The water flows from the fish screen through 950 feet of 30" diameter HDPE pipe underground northwest to the distribution system at the fish rearing pond. The water enters a diversion box where the flow distribution can be controlled with flash boards. The outlet works at the north end of the rearing pond is a flash-board weir, this weir system is used as the measuring device to gauge water flow. These flash boards also control the pond water elevation. The rearing pond is used to raise and protect two types of salmon. Chinook salmon are spawned on site. Coho salmon juveniles are brought in and raised in the pond.

The water overflows the flash boards and flows through a 30" steel pipe into the spawning pen below the pond. The spawning pen has removable bars by the spawning shed and at the bottom attached to the fish ladder, these structures allow or prevent the adult fish from entering and passing through the spawning pen. The water flows through the spawning pen to a concrete fish ladder along the South Fork of the Klaskanine River. The fish ladder uses flash-boards to control the water level of the spawning pen. The water rejoins a small side channel of the river below the fish ladder approximately 1,400' below the diversion gate.

Although there are ditches in the aquaculture system none of the ditches flow at capacity because the flow is restricted by the diversion lift gate and the by-pass gate. The water levels in the pond and spawning pen are controlled with the flash boards at the pond outlet and the fish ladder.

The water flow is measured by the weir flow over the flash boards at the pond outlet

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2. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
N/A		

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepening)

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
South Fork of the Klaskanine River	Klaskanine River

4. Point of diversion/appropriation location:

(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
NW/NE, Section 31, T7N, R8W	1,038' S. and 50' E. of the N. 1/4 Corner of Section 31

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Aquaculture		January – May	10 cfs
Aquaculture		June – July	5 cfs
Aquaculture		October – December	5 cfs

Total Quantity of Water No maximum duty is listed on Final Order or Certificates.

6. Place of use for the point of diversion or appropriation:

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
		SE/SW	30	7N	8W	AQUA	0.7 ac	
		NE/NW	31	7N	8W	AQUA	0.4 ac	

Total Acres where water is used for aquaculture. 1.1 acres

Groundwater Source Information (Well and Sump)

**If the appropriation is not from ground water (well or sump), this section, items 1-5, can be deleted.

NOTE: No ground water, items 1-5 were deleted.

Reservoir Data

**If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.

NOTE: This claim is not for a reservoir, items 1-7 were deleted.

This aquaculture project originally included a diversion dam across the South Fork of the Klaskanine River, that dam was removed. The project also includes a rearing pond, this was part of the original project and has not changed, this pond was never considered as a reservoir and has been through the claim process already. We do not consider this as a reservoir and do not include it in this section.

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Storage tank data

**If this system does not include a storage tank as part of the distribution system, this section, item 1, can be deleted.

NOTE: This system does not include a storage tank, item 1 was deleted.

This system does include the rearing pond and pens, however these function by allowing the flow through the pond and pen while protecting the juvenile salmon. We do not consider these to be holding tanks and do not include them in this section.

Gravity flow pipe (The Department typically uses the Hazen-William's formula for a gravity flow pipe system)

**If this claim does not rely on a gravity flow pipe to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

NOTE: This system does include gravity flow pipes, however all flow is controlled by the diversion gate not steady state flow. The flash-board weirs at the rearing pond outlet and the fish ladder control the water level and the flow rate is controlled by the diversion gate.

1. If the system involves a gravity flow pipe, complete the table below.

Pipe size	Pipe type	"C" factor	Amount of fall	Length of pipe	Slope	Computed rate of water flow
30"	HDPE	89	10.6	950	0.011	37.5

2. Provide calculations in the box below:

Pipe Capacity Calculator for pipes flowing full, using the Hazen-Williams Formula			
Data Entry (fill in underlined blanks)			
Interior Diameter =	30	inches,	2.5 feet
Roughness Coefficient (C) =	89		
Fall =	1.1	feet	per 100 feet of distance
Grade =	0.011	, or	1.1%
Results calculated			
Area of cross-section =		4.908739	square feet
Wetted Perimeter =		7.853982	feet
Hydraulic Radius =		0.625	
Velocity =		7.639446	feet per second
Pipe Capacity =		37.500	cubic feet per second

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NOTE: Chezy's roughness coefficient calculated using manning's $n = 0.012$.

3. If an actual measurement was taken, provide the following:

Date of Measurement	Who made the measurement	Measurement method	Measured quantity of water
N/A			

Attach measurements notes

Gravity flow canal or ditch (The Department typically uses Manning's formula for canals and ditches)

**If this claim does not rely on a gravity flow canal or ditch to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

NOTE: This system does include a ditch, however the ditch flows as a function of the diversion lift gate not steady state flow. The ditch never flows at capacity, the ditch size is used to minimize the water velocity at the fish screen and allow by-pass flow to return to the river.

1. If the system involves a gravity canal or ditch, complete the table below.

Canal or ditch type (material)	Top width of canal or ditch	Bottom width of canal or ditch	Depth	"N" factor	Amount of fall	Length of canal/ditch	Slope	Computed volume
ditch	15	5	3	0.03	2'	100'	0.02	311 cfs

2. Provide calculations in the box below:

Ditch Capacity Calculator using Manning's Formula			
<p style="text-align: center; margin: 0;">Data Entry (fill in underlined blanks)</p> <p>Top Width = <u>15</u> feet</p> <p>Bottom Width = <u>5</u> feet</p> <p>Depth = <u>3</u> feet</p> <p>Fall = <u>2</u> feet per <u>100</u> feet of distance</p> <p>Grade = <u>0.02</u> , or 2.0%</p> <p>n Factor = <u>0.03</u></p>			
<p style="text-align: center; margin: 0;">Results calculated</p>			
	Area of cross-section =	30	square feet
	Wetted Perimeter =	16.6619	feet
	Hydraulic Radius =	1.800515	
	Velocity =	10.368	feet per second
	Calculated Ditch Capacity =	311.0	cubic feet per second

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3. If an actual measurement was taken, provide the following:

Date of Measurement	Who made the measurement	Measurement method	Measured quantity of water
N/A			

Attach measurements notes

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
N/A					

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
N/A				

3. Meter information (if required in permit or transfer final order)

Make	Serial #	Condition (working or not)	Current meter reading	Notes
N/A				

4. Measurement device description

Device description	Condition (working or not)	Notes
Sharp crested weir	working	Top flash board

NOTE: See attached flow rate sheet for weir measurements. The pond outlet flash boards are used as the measurement device. This is the most practical location to the flow due to the calm water leaving the pond. The lift gate at the river is impractical due to the fact that the water is split between the fish screen and the by-pass. The fish ladder could be used as the measurement point but the turbulent flow through the ladder makes that location inconsistent.

5. Measured pump capacity (using meter if meter was present and system was operating)

Initial meter reading	Ending meter reading	Duration of time observed	Total pump output
N/A			

6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output
N/A				

7. Provide pump calculations in the box below:

N/A

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8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground
30"	950'	HDPE	Buried

9. Lateral or handline information

Lateral or handline size	Length	Type of pipe	Buried or above ground
N/A			

10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
N/A						

Refer to the chart of sprinkler output at various pressures for most nozzle sizes attached to this document.

11. Additional notes or comments related to the system:

This system runs by controlled gravity flow through a rearing pond to support juvenile salmon. The system has no pumps, motors or power. The fish screen is operated by water flow and maintained by Fish and Wildlife. The flow is controlled by the diversion gate and the water levels are controlled by the flash boards in the pond outlet and the fish ladders. The water flow is diverted through the fish hatchery and returned to the river directly below the hatchery.



POD #1. Lift Gate on the South Fork of the Klaskanine River.

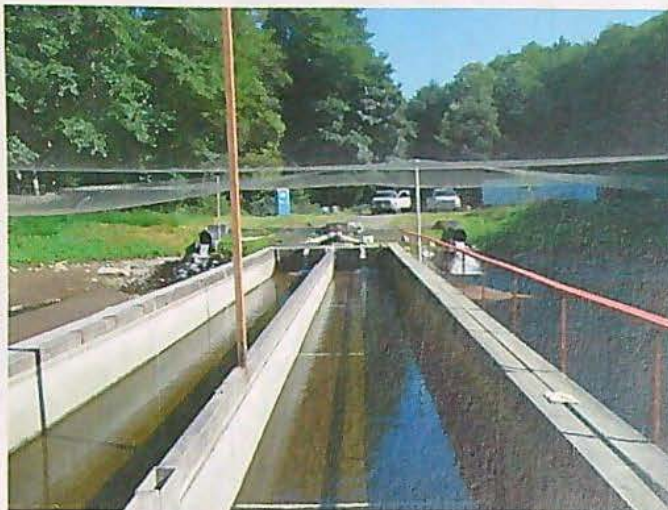


Fish screen and by-pass structure.

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South end of rearing pond and rearing pens. Water distribution shown each side of pen and into each pen.



Rearing pond outlet structure. No flash boards in place at this time.



Fish ladder at bottom of spawning pond, no flash boards in place.

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III. CONDITIONS

Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

a. Permits or transfer Final Orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or transfer final order:

	Dates from permit or transfer final order	Date accomplished	Description of actions taken by water user to comply with the time limits
Begin construction	N/A		Owner complied
Complete construction	N/A		Owner complied
Complete application of water	10-1-09	10-1-07	Owner complied

2. Initial Water Level Measurements:

**If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

NOTE: No initial water level measurement was required, items b – e were deleted.

a. Was the water user required to submit an initial static water level measurement? YES NO ☒ NA

3. Annual Static Water Level Measurements:

**If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

NOTE: No annual water level measurement was required, items b – e were deleted.

a. Was the water user required to submit annual static water level measurements? YES NO ☒ NA

4. Measurement, recording, and reporting conditions:

a. Does the permit or transfer final order require the installation of a meter or approved measuring device?
☒ YES NO

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.

**If "NO", items b through g relating to this section can be deleted.

b. Has a meter been installed? YES ☒ NO

c. Provide the date the meter was installed:

N/A

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? ☒ YES NO

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

Name	Title	Approximate date
Greg Beaman	District 1 Watermaster	Summer of 2008

NOTE: Greg Beaman inspected the site in the summer of 2008. No written approval was obtained however Mr. Beaman verbally approved of the weir arrangement.

f. Is the water user required to report the water use to the Department? ☒ YES NO

g. Have the reports been submitted? ☒ YES NO

If the reports have not been submitted, attach a copy of the reports if available.

NOTE: See attached water use reporting form.

5. Fish Screening and/or By-pass Devices

a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion? ☒ YES NO NA

If fish screening and/or by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

****If "NO", items b through i relating to this section can be deleted**

b. Has the fish screening been installed? ☒ YES NO

c. When was the fish screening installed?

Date	By whom
September 2007	Local contractor under the guidance of ODFW and Clatsop Co.

d. Is the **total** diversion rate of all rights at the point of diversion less than 0.5 cfs? YES ☒ NO

e. If the total diversion rate is less than 0.5 cfs, has the water user self certified the fish screen. YES ☒ NO

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- f. Has a self certification form been previously submitted to the Department? YES ☐ NO ☒
- g. If not, is the self certification form attached to this Claim? YES ☐ NO ☒
- h. If the total diversion rate is greater than 0.5 cfs, has ODFW approved the screening? ☒ YES NO ☐
- i. Has the water user previously submitted a letter from ODFW approving the screening? YES ☐ NO ☒
- j. If not, is the approval letter attached to the Claim? YES ☐ NO ☒

NOTE: The fish screen installed was a NRCS, ODFW fish screen design. ODFW maintains the fish screen and has been involved in this project. No written approval was obtained.

- k. Has the by-pass device been installed? ☒ YES NO ☐

l. Describe the by-pass device:

When installed	By whom	Approved by ODFW	Description
September 2007	Local Contractor	ODFW design	The by-pass is a 12" PVC pipe that returns flow to the river from the fish screen.

6. **Pump Test** (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

- a. Did the permit require the submittal of a pump test? YES NO ☒ NA
- b. Has the pump test been previously submitted to the Department? YES ☐ NO ☒
- c. Has the pump test been approved by the Department? YES ☐ NO ☒
- d. If no, is the pump test attached to this Claim? YES ☐ NO ☒

7. **Other Permit Conditions** (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.)

Final Order, T-10403, page 4 of 4, item 7: Prior to diverting water, user shall install a headgate to control and regulate the quantity of water diverted.

The headgate is in place and functional.

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SALEM, OREGON

WTR

IV. Variations, Attachments, Conclusions, Map and Signatures

Variations

Include a description of variations from the permit or transfer final order

No variations from the transfer final order were found.

Attachments

If you are attaching any documents to this report, provide a list below:

Attachment name	Description
Letter	Letter from The Campbell Group, LLC confirming approval of project.
Paper map	Reduced scale paper map for reference.
Plan & Profile of hatchery system	Scaled up plan view of hatchery system with profile to show fall.
T-10403	Transfer final order for reference.
Cert. 63289	10.0 cfs certificate for reference.
Cert. 63301	5.0 cfs certificate for reference.
Final Proof Map	Final proof map for above certificates for reference.
NRCS drawings	Sheets 1-3 of the NRCS project drawings, 1/4 scale.
Annual Water Use	Copy of 06-07 monthly water use records.
Flow Chart	Chart of depth on flashboards vs. flow in cfs for on site reference.
Letter	Letter from Clatsop Co. to Watermaster, Aug. 2008
Email	Email from USFWS to State discussing design and fish screen.
Letter	Letter from USFWS to County mentioning work authorization.
Memo	Memo from USFWS to project partners, mentions NOAA and FWS

Permit and Transfer Final Order Rates and System Rates Comparisons:

POD or POA name or #	Maximum rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	Developed use	# of acres allowed by permit or transfer final order	# of acres developed
POD #1	10 cfs	37.5 cfs max. full pipe	N/A	Aquaculture	1.5	1.1

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Claim of Beneficial Use Map

The 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 poly film at a scale of 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location.

In the following box, 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.

This claim of beneficial use map was prepared using a digital tax map as the base. The tax map was inserted into AutoCAD and scaled to match dimensions. A County GIS tax map was overlaid and scaled to the section map. We found a digital air photo from May 30, 1994, this is older than most photos but it was the only photo we could find that shows the path of the road along the buried pipe to supply water to the hatchery. This photo was inserted into AutoCAD and scaled to fit the tax map. The site survey and interview allowed confirmation of the system configuration. A Silva hand compass was used to check the orientation of the system. A Lazer Technology impulse laser was used to measure distances. A Wild NA24 level was used to check the vertical drop through the system.

CWRE Statement, Seal and Signature

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

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WATER RESOURCES DEPT
SALEM, OREGON**Permit or Transfer Holders Signature or Acknowledgement**

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.

STEVE MESHICK
Print or type name

10/9/09
Date

Signature

Print or type name

Date

CLAIM OF BENEFICIAL USE ATTACHMENTS

Attachment name	Description
Letter	Letter from The Campbell Group, LLC confirming approval of project.
Paper map	Reduced scale paper map for reference.
Plan & Profile of hatchery system	Scaled up plan view of hatchery system with profile to show fall.
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Cert. 63301	5.0 cfs certificate for reference.
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September 23, 2009

Oregon Water Resources Department
Dorothy Pedersen
Field Services Division
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RE: Transfer Point of Diversion Application T-10403

Dear Ms. Pedersen,

The Campbell Group now manages the properties formerly owned by Weyerhaeuser Company that are affected by the T-10403 transfer requested by Clatsop County (parts of Sections 30, 31, Township 7 North, Range 8 West).

We are aware of the County's activities regarding their fisheries project. They have an easement that originally accessed the dam site and was amended in 2006 for the specific purpose of facilitating the change of the diversion point. Please be advised that The Campbell Group gives its consent to the change of the County's diversion point.

Respectfully,

Chris Antilla
Forester

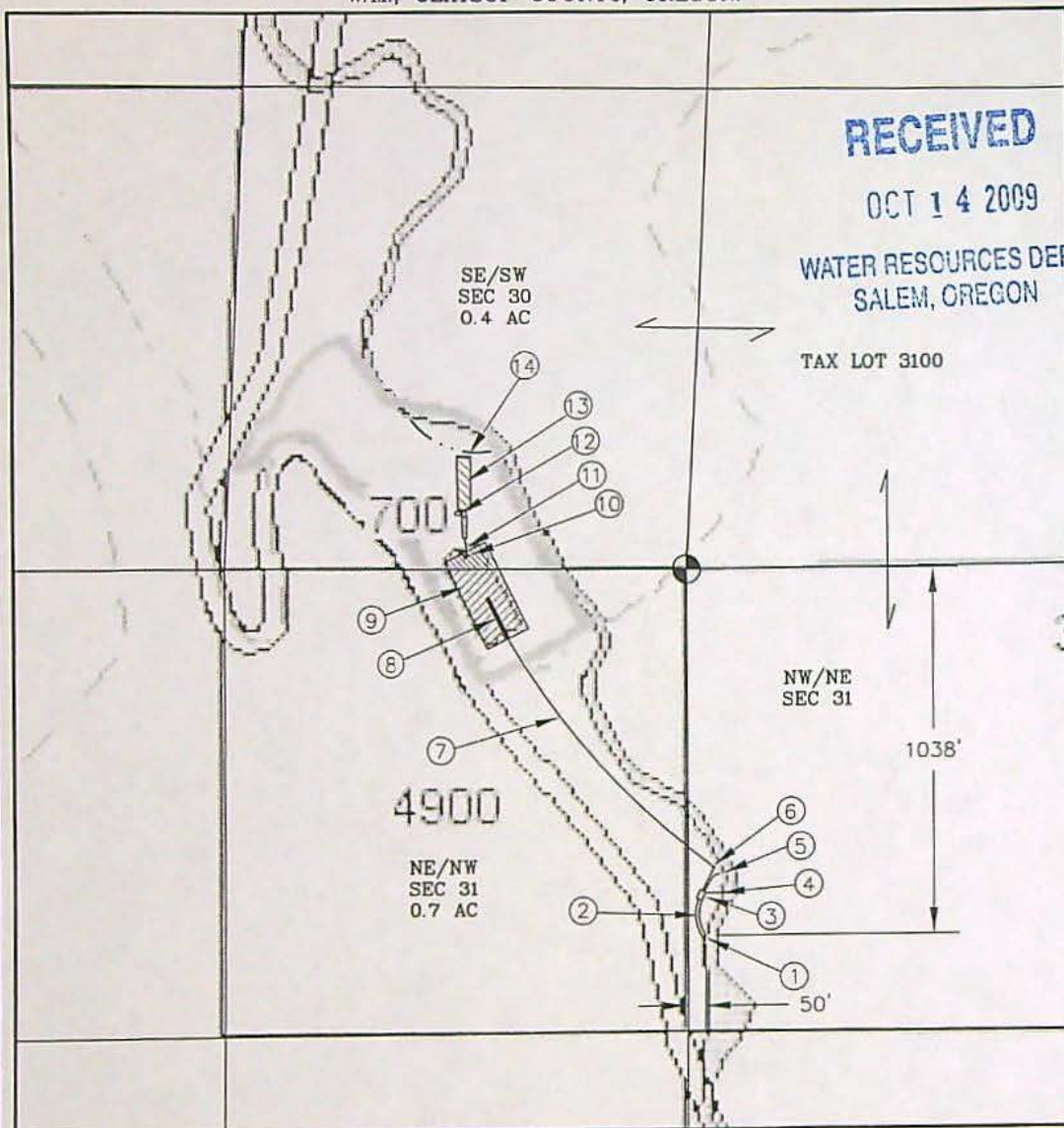
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FINAL PROOF SURVEY

LOCATED IN: TOWNSHIP 7 NORTH, RANGE 8 WEST,
THE NE/NW AND NW/NE OF SECTION 31, THE SE/SW OF SECTION 30,
W.M., CLATSOP COUNTY, OREGON.



TRANSFER No. T-10403,
PERMITS S-46895, S-44782



IN THE NAME OF:

CLATSOP COUNTY ECONOMIC DEVELOPMENT FISHERIES PROJECT
INSPECTED ON 8-4-09 by WILLIAM L. FLATZ, CWRE

- | | |
|------------------------------|--------------------------|
| • 1) POD #1, LIFT GATE | • 8) REARING PEN |
| • 2) DITCH TO FISH SCREEN | • 9) REARING POND |
| • 3) FISH SCREEN AND BY-PASS | • 10) FLASH-BOARD OUTLET |
| • 4) 12" PVC OVERFLOW PIPE | • 11) STEEL OUTLET PIPE |
| • 5) BY-PASS PIPE, 12" PVC | • 12) SPAWNING SHED |
| • 6) CONCRETE CATCH BASIN | • 13) SPAWNING POND |
| • 7) 950' OF 30" HDPE PIPE | • 14) FISH LADDER OUTLET |

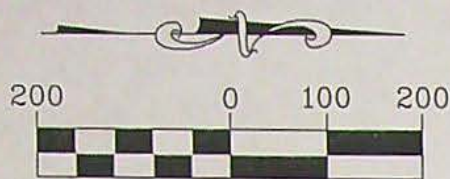
• = LOCATION REQUIRED ON MAP

EXAMINERS DISCLAIMER STATEMENT

The preparation of this map was for the purpose of identifying the location of the Water Right only and has no intent to provide dimensions or location of property ownership lines.

JOB No.: 308-2-038
REVISED: 9-29-09
DRAWING NAME: T-10403 COBU MAP

MAP BASED ON:
TAX MAP 7N 8W 30
AIRPHOTO '94'
SITE SURVEY



1 inch = 200 ft.

- #11. 30" STEEL OUTLET PIPE
- #10. FLASH-BOARD OUTLET
- #9. REARING POND
- #8. REARING PEN
- #12. SPAWNING SHED
- #13. SPAWNING POND
- #14. FISH LADDER OUTLET

#3. FISH SCREEN AND BY-PASS

#2. OPEN DITCH TO FISH SCREEN

#1. P.O.D. LIFT GATE

PLAN VIEW
scale
1" = 200'

#7. 950 FEET OF 30" HDPE PIPE SLOPE 1%

S. FORK KASKANINE RIVER

CLATSOP COUNTY SOUTH FORK OF THE KLASKANINE RIVER FISH HATCHERY PLAN AND PROFILE

#6. PRE-CAST CONC. CATCH BASIN

#5. 12" PVC BY-PASS PIPE

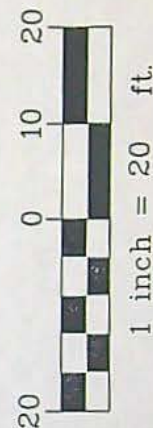
#4. 12" PVC OVERFLOW PIPE

#1
#2
#3
#6

#7

FULL LEVEL

FULL LEVEL



1 inch = 20 ft.

PROFILE VIEW

scale 1"-200' horiz., 1"=20' vert.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

3. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH, 123.72596 DEGREES WEST

4. The second right to be transferred is as follows:

Certificate: 63301 in the name of CLATSOP COUNTY ECONOMIC DEVELOPMENT
COMMITTEE FISHERIES PROJECT (perfected under Permit S-46895)

Use: MAINTAINING THE RESERVOIR CONSTRUCTED UNDER PERMIT R-8108
FOR AQUACULTURE

Priority Date: OCTOBER 21, 1981

Rate: 5.0 CUBIC FEET PER SECOND

Season of Use: JUNE 1 THROUGH JULY 31 AND OCTOBER 1 THROUGH
DECEMBER 31

Source: SOUTH FORK KLASKANINE RIVER, tributary to the KLASKANINE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

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5. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH; 123.72596 DEGREES WEST

6. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.
8. On August 6, 2007, the Clatsop County Assessor's office was contacted to clarify current ownership of the lands involved in Transfer T-10403. The Assessor's office confirmed that Weyerhaeuser Corporation is the current owner of record for Tax Lot 4900 in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 7 N, R 8 W, W.M., as well as the existing and proposed points of diversion (Tax Lot 3100 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 7 N, R 8 W, W.M.) for Certificates 63289 and 63301. The place of use is in Tax Lot 700, owned by Clatsop County.
9. On October 24, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10403 to the applicant. The draft Preliminary Determination set forth a deadline of November 30, 2007, 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.
10. On January 3, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10403 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on January 15, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

11. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Application T-10403.
13. The proposed change would not result in enlargement of the rights.
14. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in point of diversion proposed in application T-10403 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

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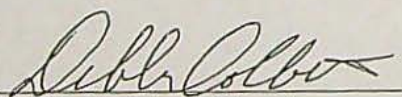
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Now, therefore, it is ORDERED:

1. The change in point of diversion proposed in application T-10403 is approved.
2. ~~Water right certificates 63289 and 63301 are cancelled.~~
3. 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 Certificates 63289 and 63301, and any related decree.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.
6. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
7. Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.
8. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 15th day of February 2008.


Phillip C. Ward, Director

pn
Mailing date: FEB 20 2008

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SALEM, OREGON

STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLATSOP COUNTY ECONOMIC DEVELOPMENT
COMMITTEE FISHERIES PROJECT
C/O OSU SEAFOODS LAB. 250 36TH STREET
ASTORIA, OREGON 97103

confirms the right to use the waters of SOUTH FORK KLASKANINE RIVER, a tributary of KLASKANINE RIVER, for the purpose of AQUACULTURE.

The right has been perfected under Permit 44782. The date of priority is AUGUST 31, 1979. The right is limited to not more than 10.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NE 1/4, SECTION 31, T 7 N, R 8 W, W.M.; 850 FEET SOUTH AND 150 FEET EAST FROM THE N 1/4 CORNER OF SECTION 31.

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

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

SE 1/4 SW 1/4
SECTION 30

NE 1/4 NW 1/4
SECTION 31
TOWNSHIP 7 NORTH, RANGE 8 WEST, W.M.

THE USE OF WATER UNDER THIS RIGHT IS RESTRICTED TO THE PERIOD OF JANUARY THROUGH MAY.

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The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 13, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63289

59290.DM

STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLATSOP COUNTY ECONOMIC DEVELOPMENT
COMMITTEE FISHERIES PROJECT
C/O OSU SEAFOODS LAB. 250 36TH STREET
ASTORIA, OREGON 97103

confirms the right to use the waters of SOUTH FORK KLASKANINE RIVER, a tributary of KLASKANINE RIVER, for the purpose of MAINTAINING THE RESERVOIR CONSTRUCTED UNDER PERMIT R-8108 FOR AQUACULTURE.

The right has been perfected under Permit 46895. The date of priority is OCTOBER 21, 1981. The right is limited to not more than 5.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 31, T 7 N, R 8 W, W.M.; 850 FEET
SOUTH AND 150 FEET EAST FROM THE N 1/4 CORNER OF SECTION 31.

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

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

SE 1/4 SW 1/4
SECTION 30

NE 1/4 NW 1/4
SECTION 31
TOWNSHIP 7 NORTH, RANGE 8 WEST, W.M.

THE USE OF WATER UNDER THIS RIGHT IS RESTRICTED TO THE PERIODS OF JUNE
AND JULY, OCTOBER THROUGH DECEMBER.

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OCT 14 2009

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SALEM, OREGON

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

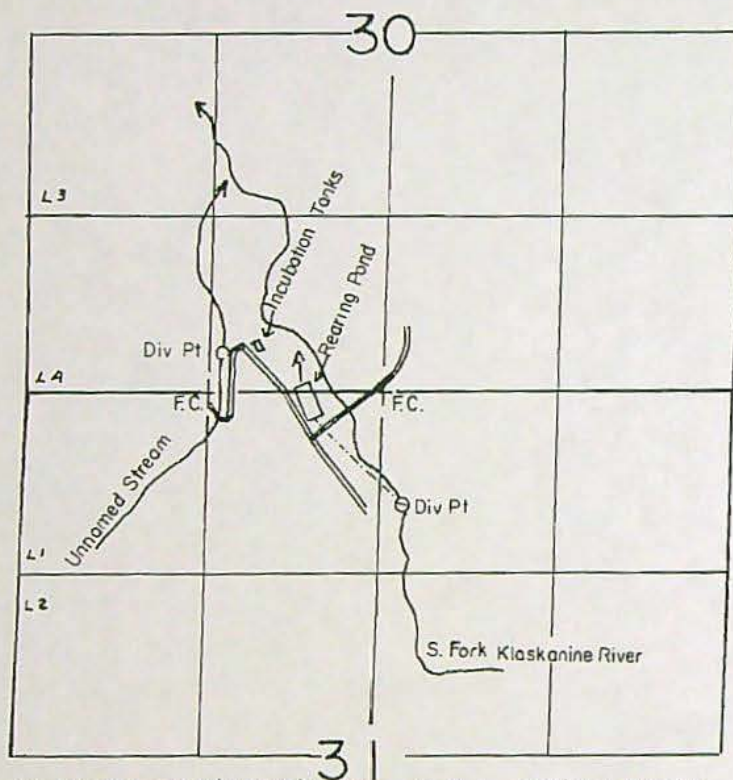
WITNESS the signature of the Water Resources Director,
affixed this date DECEMBER 13, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63301

62991.DM

T.7N,R.8W,W M



River Div Pt. Loc. 850' S & 150' E., Stream Div Pt. Loc. 300' N. & 1200' W
Both From N 1/4 Corner Section 31

SCALE: 1"=1320'

FINAL PROOF SURVEY UNDER

R-59289
59290
62991

R-8108
44782
46895

Application No. 65209..... Permit No. 47875.....
IN NAME OF

Clatsop County Economic Development Committee
Fisheries Project

Surveyed JUNE 20, 19....., by J.M. WARREN.....

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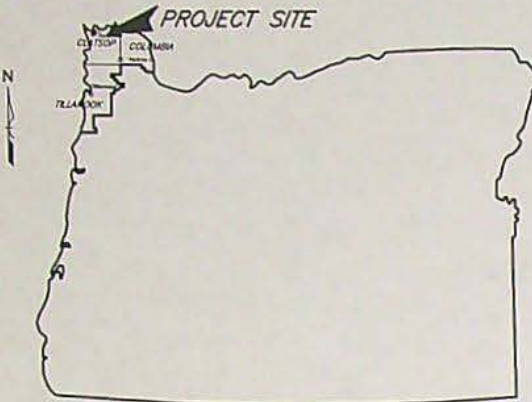
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SALEM, OREGON

CLATSOP COUNTY, OREGON PLANS
FOR THE CONSTRUCTION OF

SOUTH FORK KLASKANINE RIVER FISH PASSAGE AND HATCHERY DIVERSION

BY
U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

* This Project was Designed to Comply With the
USACE's SLOPES Programmatic Biological Opinion.



OREGON



LOCATION MAP

SW 1/4 SECTION 31, T7N, R8W
USGS QUAD: Green Mountain, Oregon

LAT 46°05'W LONG 123°44'W

0 3000
Scale in feet

GENERAL NOTES

1. The Contractor will comply with the Terms & Conditions from NOAA-Fisheries SLOPES that requires the utmost care is taken when construction activity is taking place in or near the waterway.
2. The landowner is responsible for procuring and complying with all permits and easements including all federal, state, county, and local permits.
3. Excavation, trenching, shoring, and shielding shall be the responsibility of the contractor performing the work, these drawings are not intended to provide means or methods of construction.
4. The landowner shall notify the NRCS engineer at 503-414-3063 at least two weeks prior to construction commencement to arrange a preconstruction site meeting with the owner and contractor.
5. All existing conditions are to be verified in the field prior to construction and any adjustments to the drawings shall be made as directed by the project engineer.
6. Excavation shall meet the requirements of OSHA 29 CFR Part 1926, Subpart P, Excavations. Actual slopes shall not exceed the slopes as indicated on drawings.
7. Protect all trees and land areas marked for protection. Exercise care in areas not so marked to avoid unnecessary damage to natural vegetation.
8. Existing private improvements, which lie within the construction limits, unless otherwise noted will be removed by the owner thereof or abandoned in place.
9. NRCS makes no representations as to the existence or non-existence of utilities. It is the responsibility of land owners or operators to comply with the provisions of ORS 757.541 to 757.571. Land owners or operators and contractors will be liable for any damage resulting from disruption of service caused by construction activities.
10. These drawings and the associated written specifications represent the construction documents. Any deviations from these drawings and associated specifications without written approval from NRCS may result in this practice not meeting NRCS specifications and the withdrawal of technical assistance and cost reimbursement.
11. All construction activities are to be performed and completed with ODF&W in-stream work period; July 1st through September 15th.

CONSTRUCTION SPECIFICATIONS

SPEC No.	TITLE
CS-01	Mobilization & Demobilization
CS-02	Pollution Control
CS-04	Clearing and Grubbing
CS-07	Removal of Water
CS-11	Excavation, Common
CS-15	Earth Fill, Class 5
CS-17	Structural Backfill
CS-31	Live Stakes
CS-56	Rock Structures
CS-63	Vegetation Of Construction Sites
CS-67	Rock Structures
MS-209	Woven and Nonwoven Fabrics
MS-211	Bedding
MS-212	Rock
MS-219	Erosion Control Blankets

INDEX OF DRAWINGS

SHEET NO.	TITLE
1.	Project Location and Title Page
2.	Plan View - Existing Layout
3.	Plan View - Designed Project Layout
4.	Plan View - Upstream Weir Layout
5.	Plan View - Downstream Weir Layout
6.	Riffle Diversion Structure
7.	Riffle Fish Passage Structure
8.	Reinforced Earth Bank Treatment
9.	General Instructions For Construction of Reinforced Earth Lifts
10.	Weir and Log Structure Details

Date
2/2007
Designed: SPW
Drawn: MLY
Checked: [blank]
Approved: [blank]
Title: [blank]

PROJECT LOCATION AND TITLE PAGE
SOUTH FORK KLASKANINE RIVER FISH PASSAGE
JOB CLASS XX: STANDARD PRACTICE CODE 342, 348, 395, 410, 580, 587
NORTH COAST BASIN
CLATSOP COUNTY, OREGON

NRCS
Natural Resources Conservation Service
United States Department of Agriculture

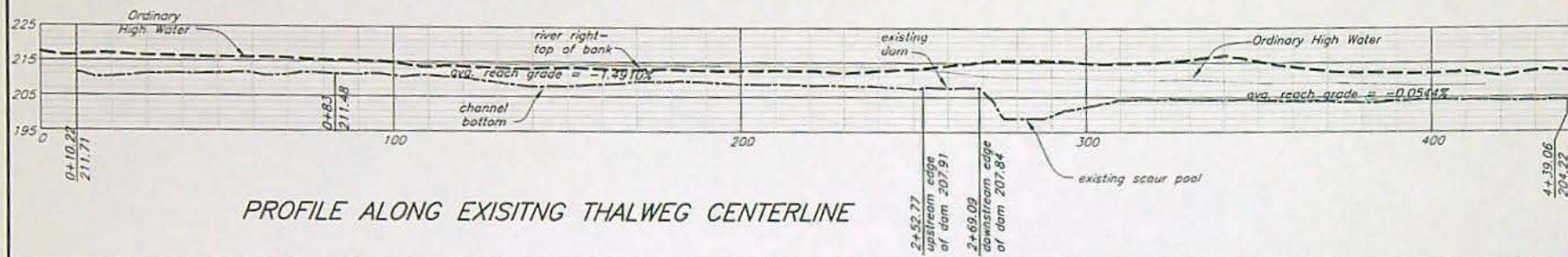
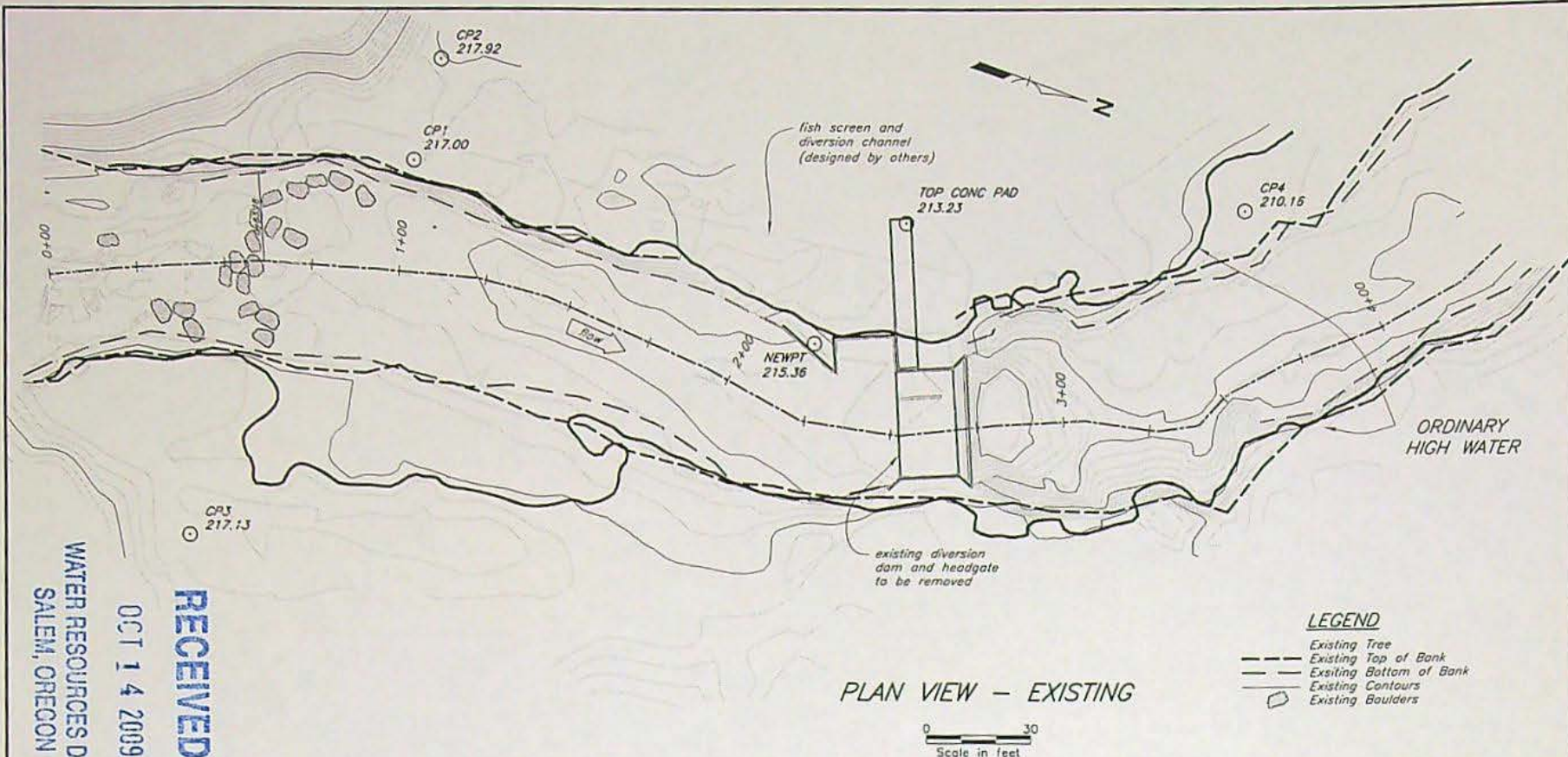
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Drawing No.
Sheet 1 of 10

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SALEM, OREGON

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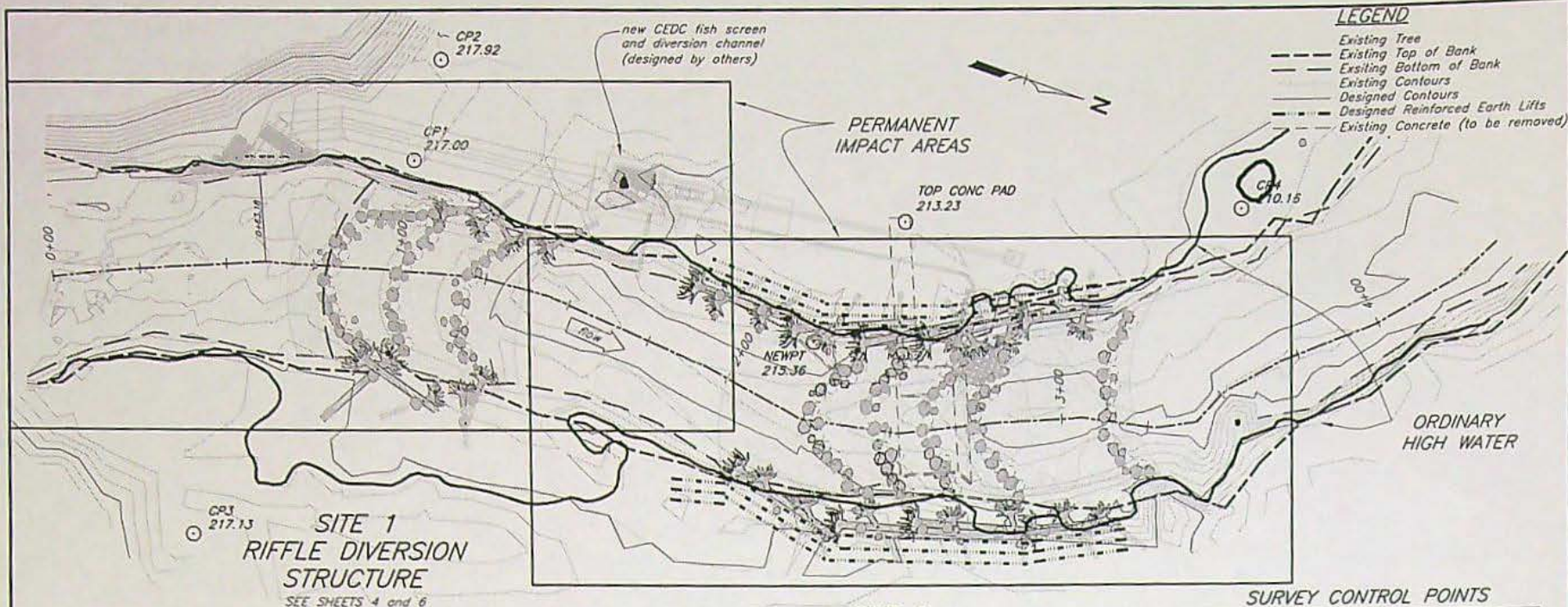


Designed SPW 2/2007
Drawn KLY 1/30/07
Checked
Approved
Title

PLAN VIEW - EXISTING LAYOUT
SOUTH FORK KLASKANINE RIVER FISH PASSAGE
JOB CLASS XX: STANDARD PRACTICE CODE 342, 348, 395, 396, 410, 580, 587
NORTH COAST BASIN CLATSOP COUNTY, OREGON

NRCS
Natural Resources Conservation Service
United States Department of Agriculture

File Name
salkenine042007
Drawing No.
Sheet 2 of 10



LEGEND

- Existing Tree
- Existing Top of Bank
- Existing Bottom of Bank
- Existing Contours
- Designed Contours
- Designed Reinforced Earth Lifts
- Existing Concrete (to be removed)

SITE 1
RIFFLE DIVERSION
STRUCTURE
 SEE SHEETS 4 and 6

SITE 2
RIFFLE FOR FISH
PASSAGE
 SEE SHEETS 5 and 7

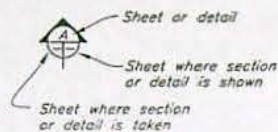
ESTIMATED QUANTITIES

EXCAVATION	365.08 CY
FILL	461.53 CY
16" TREE STEM WITH ROOTWADS	22
35" TREE STEM WITH ROOTWADS	11
2.5' DIAMETER BALLAST ROCK	17
3.5' DIAMETER BALLAST ROCK	22
3' TO 3.5' DIAMETER WEIR WING AND FOOTER BOULDERS	225
4' DIAMETER WEIR THROAT BOULDERS	24
EROSION CONTROL BLANKET	7560 SF (9' W x 140' L x 6 lifts)
LIVE ALDER CUTTINGS	840
SOIL FOR LIFTS	234 CY
CONSTRUCTED RIFFLE	233 CY

Quantities are estimates only, based on topographic survey data and design drawings. Contractor shall check quantities prior to entering a contract with the owner.

PLAN VIEW

0 30
 Scale in feet
 Contour Interval - 1 foot



DESCRIPTION	NORTHING	EASTING	ELEVATION
CP1	5000.00	5000.00	
CP2	4997.87	4970.38	217.92
CP3	4975.92	5123.47	217.13
CP4	5228.89	4931.94	210.16
NEWPT	5125.48	5009.56	215.36
TOP CONC PAD	5138.70	4968.22	213.23

Elevations and coordinate location are based on assumed datum and are in feet.

GENERAL NOTES

Vegetation within the construction site area that is to be retained or undisturbed will be marked on the project site.

The location and alignment shown is approximate. The exact alignment is to be staked in the field.

All earthfill shall be placed in lifts of 12" or less and shall be compacted by one or more passes of hauling equipment.

All rock shall be from an approved source and shall be dense, sound and free from cracks or other defects conducive to accelerated weathering.

All rock shall be equipment placed so that larger rocks are uniformly distributed and in contact with one another with smaller rocks filling in voids. No end dumping of rock will be allowed.

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WATER RESOURCES DEPT
 SALEM, OREGON

Date: 2/2007
 Drawn: KLY
 Checked: 1/20/07
 Approved: _____
 Title: _____

PLAN VIEW-DESIGNED PROJECT LAYOUT
 SOUTH FORK KLASKANINE RIVER FISH PASSAGE
 JOB CLASS XX: STANDARD PRACTICE CODE 342, 348, 395, 396, 410, 580, 587
 NORTH COAST BASIN
 CLATSOP COUNTY, OREGON

NRCS
 Natural Resources Conservation Service
 United States Department of Agriculture

File Name: klaskanine042007
 Drawing No.: _____
 Sheet 3 of 10

ENTERED data online 3/11/08

USER-ID 1741



2006

Oregon Water Resources Department
October 2006 through September 2007
Annual Water Use - Monthly Quantities Form

2007

Facility POD-ID	pd 3 Storage	pd 3	pd 3	
INC 63307 CP 61932	63290 AF 61931	JAN-MAY 63289 CFS 61930	JUN-JUL, OCT-DEC 63301 CFS 61930	
October - 2006	0.17	3.21	Cancelled FOR NEW DIVERSION	2/15/08
November - 2006	1.18	0	—	0
December - 2006	1.06	0	—	0
January - 2007	1.09	0	0	—
February - 2007	1.05	3.21	10.61	—
March - 2007	1.0	3.21	9.92	—
April - 2007	0.94	3.21	10.01	—
May - 2007	0	3.21	6.29	—
June - 2007	0	3.21	—	9.68
July - 2007	0	0	—	0
August - 2007	0	0	—	—
September - 2007	0	0	—	—
TOTAL *	6.49 CF	19.26 AF	36.83 CF	14.28 CF

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Sharp Crested Weir. If use is irrigation, total number acres irrigated _____.
I certify this information is true and accurate to the best of my knowledge.

Signature _____ Title _____ Reporting Entity _____ Date _____

Name - Please Print _____

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Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

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SALEM, OREGON

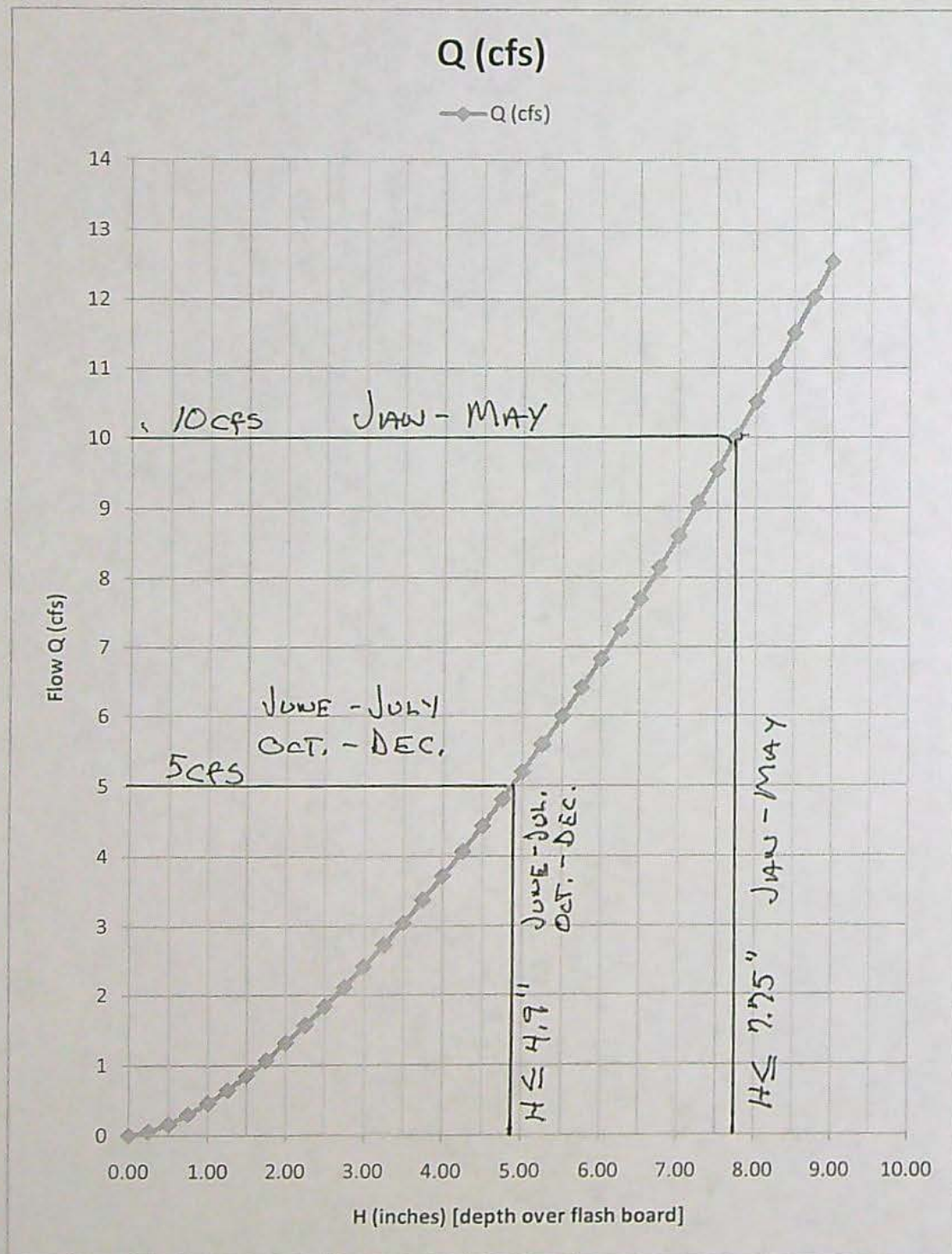
WRAISERR@WRD.STATE.OR.US

450 gpm = 10 CFS

Clatsop County Fisheries Project on the S. Fork of the Klaskanine River
Weir Flow Calculations using the Francis Formula $Q = 3.33 * H^{(3/2)}$

Depth measured over weir boards at rearing pond outlet

Given: overflow flash boards, 2 slots, each 2.9' long



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Clatsop County

August 6, 2008



Greg Beaman
District 1 Watermaster
Water Resources Department
Field/Technical Services Division
4000 Blimp Boulevard
Tillamook, OR 97141

Department of Transportation
and Development

RE: Transfer Application T-~~10043~~, Clatsop County
10403

Clatsop County Fisheries
2001 Marine Drive, Room 253
Astoria, Oregon 97103
Telephone (503) 325-6452
Fax (503) 325-2753

Dear Mr. Beaman,

On July 28, 2008 you conducted a site visit to the South Fork of the Klaskanine River and the Clatsop County Fisheries project site in regards to our Transfer Application T-~~10043~~, for approving our flow meter type and diversion head gate design. 10403

www.co.clatsop.or.us

With our current head gate design and questions in regards to the flow measurements we would like to request assistance from your Department in calibrating and determining a flow measurement chart for our head gate. We are currently not diverting any water from the river and will commence water diversion on October 1, 2008.

During your visit you also had a few questions about our screen structure design. I have enclosed some documents that will help answer any questions you may have in regards to the design and final approval of the screen structure. If you need any further information or documentation please let me know and I will contact Amy Horstman at U.S. Fish and Wildlife for the needed items.

Please let me know if you are able to assist in the calibration of our head gate and we can determine a site visit date in early October after we start our water diversion.

If you have any further questions, please feel free to contact me at the Clatsop County Fisheries (503) 325-6452.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Meshke".
Steve Meshke
Natural Resources Manager

Enc.

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OCT 14 2009

WATER RESOURCES DEPT
SALEM, OREGON

Amy
Horstman/OSO/R1/FWS/DOI
04/19/2007 10:00 AM

To "Thomas Stahl" <Thomas.Stahl@STATE.OR.US>
cc
bcc
Subject Re: DRAFT Fish Passage Approval Rules

Hi Tom,

Per my phone message, here is a power point (in PDF) that Sean Welch of NRCS and I provided to John Johnson and Megan Callahan Grant at NMFS yesterday. John provided NOAA concurrence on the designs, completing the ESA compliance (under USFWS programmatic restoration BO).

The project will remove a 27 year old concrete dam on the South Fork Klatskanine River (just above confluence with the main Klatskanine River and about 300+ yards above tidal influence in Youngs River). The dam is used by the county for a fish hatchery. It is a substantial fish passage barrier, limiting access for salmonids and coastal cutthroat trout to 3.1 miles of spawning/rearing habitat above.

The dam will be replaced by a series of three low head diversions with rocks spaced to allow streaming flow for fish passage (including chum) at all velocities. Sean has modeled the hydraulics on the system and has output showing predicted flow depth and velocities at the structures that should pass fish including at 5% and 95% exceedence levels. Ryan at the Screen Shop has designed a fish screen. Reducing the size of the wasteway (or accommodating fish movement via fishway) was recommended by John Johnson, but otherwise the screen part is pretty solid.

There is a substantial grade differential below the dam due to blockage of sediment transport processes. The design proposed to fill the plunge pool with native material and rebuild the channel grade via geomorphic riffle structures that provide for fish passage at all flows. Some root wads and large wood will be placed through this section to further reduce velocities along the bank. The design overall should provide immediate fish passage throughout the entire channel reach as well as enhanced habitat.

Enclosed is our presentation to NMFS. I will follow with 3 emails that break down Sean's design package.

Maybe we could discuss these a bit and then have a teleconference with Sean to ensure we have all your input prior to submitting the fish passage permit request. Feel free to give me a call when you have a chance.



.CEDC Fish Passage.pdf

Amy Horstman
Oregon Partners for Fish & Wildlife Program Coordinator
USFWS
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266
Phone (503)231-6179, Fax (503)231-6195

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SALEM, OREGON



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Oregon Fish and Wildlife Office
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266
Phone: (503)231-6179 FAX: (503)231-6195



MAY 11 2007

Reply To: 6413.0702
File Name: S FK JP Letter
TS Number: 07-1533

Mr. Tod Jones
CDEC Fisheries Project
2001 Marine Dr. Rm 253
Astoria, Oregon 97103

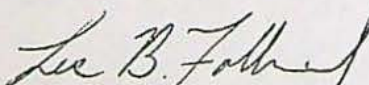
Dear Mr. Jones:

Enclosed are copies of project files for the South Fork Klaskanine River restoration project to improve habitat and upstream passage for fish. The Service is pleased to be involved in this project through our Partners for Fish and Wildlife Program. We are providing you with copies of our Nationwide 27 determination and memo to the file to meet Army Corps of Engineers requirements for the project, as well as documentation of completed ODFW fish passage approval, endangered species act compliance via National Marine Fisheries Service, National Historic Preservation Act compliance, National Environmental Policy Act compliance, and Level 1 Contaminants Analysis.

We are also providing copies of our work authorization letter. You may need to make some or all of these materials available to the Division of State Lands (DSL) upon submittal of the Joint Permit for General Authorization under Fish Habitat Enhancement. Please check with the local DSL field officer prior to submittal.

We appreciate your commitment to restoration of salmonid habitat. If you have any questions, please contact Amy Horstman, our Partners for Fish and Wildlife Coordinator, at (503)231-6179.

Sincerely,


for Kemper M. McMaster
State Supervisor

Enclosure

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Oregon Fish and Wildlife Office

2600 SE 98th Avenue, Suite 100

Portland, Oregon 97266

Phone: (503)231-6179 FAX: (503)231-6195



Reply To File Number: 6413.0702
Project Name: S Fork Klatskanine Fish Passage

Memorandum

To: File - Partners for Fish and Wildlife Program, FY 2007, S Fork Klatskanine Fish Passage Project, Clatsop County

From: Amy Horstman, Fish and Wildlife Biologist, Oregon Fish and Wildlife Office, Portland, Oregon

Subject: Determination of Effects to Endangered Species for the S Fork Klatskanine Fish Passage Project

This memorandum has been prepared to document that the following project is consistent with the June 25, 2004 biological opinion (BO) from NOAA Fisheries, and the November 22, 2004 BO from the Fish and Wildlife Service (Service) for the Partners for Fish and Wildlife Program formal consultation.

Project Description:

This project will address fish passage barriers on the South Fork of the Klatskanine River near Olney, Oregon. The project will remove a ~6' high diversion dam, replace it with a low-head diversion, provide a fish screen, and rebuild channel features to stabilize against a headcut, provide instream habitat complexity, and maintain floodplain connectivity. A total of 3.1 miles of spawning and rearing habitats will be made accessible for fish on the South Fork and another low gradient tributary.

- Quantify footprint of activity: 300' in channel (dam removal, diversion structure, channel enhancements), 1500 ft² upland (screen and infrastructure).
- Quantify area adversely affected by activity: 0 feet.
- Quantify area restored by restoration activity: 3.1 miles fish passage, 300' of channel.
- Project start date: 04/15/2007 Project end date: 3/15/2008
- Total number of days for project implementation: 45
- Total number of days for project implementation above ambient noise: 30
- Ambient noise beginning on July 2006 & Ending on or before: August 2007

List of Practices for Riparian Planting:

Erosion Control Fabric
Shaping and Site Preparation
Seedbed Preparation, Seed & Seeding, Native

CONSIDER THIS MEMO AS DOCUMENTATION

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List of Practices for Diversion:

Excavation/Fill, Import Rock and Gravel
Geotextile Fabric
Fish Passage Barrier Removal
Fish Screen, Pipe Intake
Fish Screen, Waterway
Grade Stabilization Structure
Stream Habitat Improvement and Management

Project Category I - Riparian Habitat Restoration

Breaching, removing, and constructing berms and dikes - This restoration activity will allow more natural hydrologic flows to occur in riparian areas and may increase the width of channel migration zones. Existing berms and dikes will be breached or completely removed at specific locations. These activities will be designed not to cause the artificial entrapment of fish and other aquatic species in adjacent areas. Constructed berms and dikes will be used to protect existing infrastructure from restoration activities that will be completed in the immediate project area. The height and width of constructed berms and dikes will depend on site specific conditions and the intent of the project. Heavy equipment will be used to complete these activities. Site preparations may involve the removal of vegetation on and around berms and dikes. Soil disturbances will be primarily limited to the areas where these structures will be altered or constructed.

Installation of bio-engineered stream bank stabilization structures - Installation of stream bank stabilization structures will minimize or eliminate sedimentation and erosion and improve water quality in adjacent streams. Natural materials (e.g., native vegetation, boulders, and woody debris) will be used to redirect flows in stream channels to minimize stream bank erosion. Structures (e.g., rock barbs, tree revetments, and fascines) will be placed and anchored within the toe and bank areas of stream channels. Similar materials and/or structures may be placed in adjacent floodplains to redirect flows across these areas. Stream banks may also be reshaped or graded and planted with native vegetation to stabilize them. Heavy equipment will be used to complete these activities.

Planting native riparian plant species - Native vegetation will be planted to increase the composition and abundance of riparian plant communities. Native vegetation to be planted will include conifers and hardwood trees, forbs, shrubs, and grasses, and any other vegetation that would have naturally occurred at a project site. Vegetation will be planted by hand, mechanical planters, or broadcasted with hand or mechanical spreaders (e.g., no till seed drill and hydro-seeding with vehicle mounted pressurized equipment). Cottonwood (*Populus spp.*), willows (*Salix spp.*) and other tree species able to propagate readily from cuttings may be bundled and buried into shallow, narrow trenches along stream banks to promote a greater abundance of seedling sprouts. Heavy equipment may be used to excavate and backfill the trenches.

Project Category III - Instream Habitat Restoration

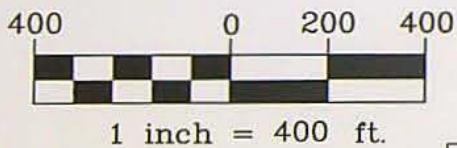
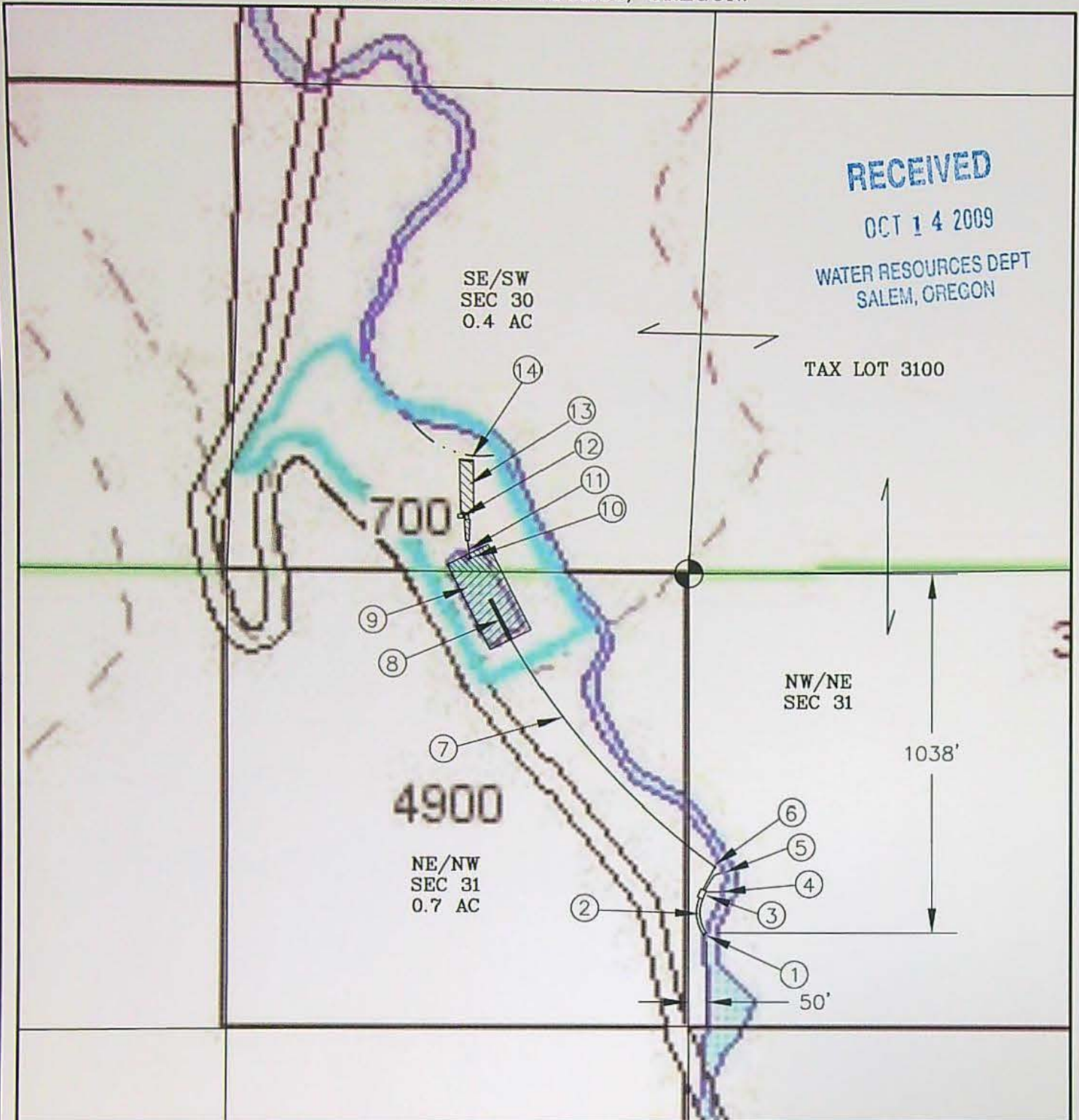
Activities in this project category will primarily focus on improving instream diversity and complexity and natural stream hydrology for fish and other aquatic species. Specific restoration activities will consist of the following:

CONSIDER THIS MEMO AS DOCUMENTATION

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SALEM, OREGON2

FINAL PROOF SURVEY

LOCATED IN: TOWNSHIP 7 NORTH, RANGE 8 WEST,
THE NE/NW AND NW/NE OF SECTION 31, THE SE/SW OF SECTION 30,
W.M., CLATSOP COUNTY, OREGON.



IN THE NAME OF:

CLATSOP COUNTY ECONOMIC DEVELOPMENT FISHERIES PROJECT
INSPECTED ON 8-4-09 by WILLIAM L. FLATZ, CWRE

TRANSFER No. T-10403,
PERMITS S-46895, S-44782



EXPIRES 12/31/2009

- | | |
|------------------------------|--------------------------|
| * 1) POD #1, LIFT GATE | 8) REARING PEN |
| 2) DITCH TO FISH SCREEN | * 9) REARING POND |
| * 3) FISH SCREEN AND BY-PASS | * 10) FLASH-BOARD OUTLET |
| 4) 12" PVC OVERFLOW PIPE | 11) STEEL OUTLET PIPE |
| 5) BY-PASS PIPE, 12" PVC | 12) SPAWNING SHED |
| 6) CONCRETE CATCH BASIN | 13) SPAWNING POND |
| * 7) 950' OF 30" HDPE PIPE | * 14) FISH LADDER OUTLET |

* = LOCATION REQUIRED ON MAP

EXAMINERS DISCLAIMER STATEMENT

The preparation of this map was for the purpose of identifying the location of the Water Right only and has no intent to provide dimensions or location of property ownership lines.



JOB No.: 309-2-038
REVISED: 9-29-09
DRAWING NAME: T-10403 COBU MAP

MAP BASED ON:
TAX MAP 7N 8W 30
AIRPHOTO '94'
SITE SURVEY

Clatsop County



October 10, 2009

Sarah Henderson
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Department of Transportation
and Development

Clatsop County Fisheries
2001 Marine Drive, Room 253
Astoria, Oregon 97103
Telephone (503) 325-6452
Fax (503) 325-2753

Reference: Transfer 10403

Dear Ms. Henderson,

Enclosed you will find Clatsop County Fisheries Claim of Beneficial Use Report and map for transfer order T-10403. This report is part of our transfer application for our water diversion project on the South Fork of the Klaskanine River located at our hatchery site.

If you have any questions or need more information please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Meshke".

Steve Meshke
Natural Resources Manager

Enclosure

www.co.clatsop.or.us

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JUN 18 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

June 16, 2008

Dorothy Pedersen
Oregon Water Resources Dept.
725 Summer St., NE, Ste. A
Salem, OR 97301

**Transportation and
Development Services**
800 Exchange Street
Suite 100
Astoria, Oregon 97103

Dear Dorothy,

This letter is to inform you of upcoming changes in the management of the county's select-area fisheries program.

Due to changes in outside funding, Tod Jones' position as program director has been eliminated, and as a result Tod will be leaving county service effective June 30. Beginning July 1 the fisheries program will be administered under the new Natural Resources Manager position, which was created as part of the reorganization of the Clatsop County Transportation and Development Services Department. Steve Meshke, the county's parks foreman, has been tapped to fill this new post, which includes management of the parks system and forestry issues.

Land Use Planning
Telephone (503) 325-8611
Fax (503) 338-3666

On behalf of Clatsop County I would like to thank Tod for his capable leadership and tireless advocacy of the fisheries program, and wish him well in his future endeavors.

I would also like to welcome Steve to his new position. I am sure he will bring the same enthusiasm to the fisheries program as he has shown running the county parks system.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Wegner".

Ed Wegner
Transportation and Development Services Director



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

February 19, 2008

CLATSOP COUNTY ECONOMIC
DEV COUNCIL FISHERIES PROJECT
800 EXCHANGE STREET SUITE 300
ASTORIA OR 97103

Reference: Transfer 10403

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

A time to complete the transfer is given the order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in 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 within the time allowed.

You have the requirement to hire a Certified Water Right 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 completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

Sarah Henderson
Executive Support

cc: Watermaster #1
Tod Jones, Agent
Weyerhaeuser Corporation

Enclosure

COPY
SOURCES DEPARTMENT
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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.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

3. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH, 123.72596 DEGREES WEST

4. The second right to be transferred is as follows:

Certificate: 63301 in the name of CLATSOP COUNTY ECONOMIC DEVELOPMENT COMMITTEE FISHERIES PROJECT (perfected under Permit S-46895)

Use: MAINTAINING THE RESERVOIR CONSTRUCTED UNDER PERMIT R-8108 FOR AQUACULTURE

Priority Date: OCTOBER 21, 1981

Rate: 5.0 CUBIC FEET PER SECOND

Season of Use: JUNE 1 THROUGH JULY 31 AND OCTOBER 1 THROUGH DECEMBER 31

Source: SOUTH FORK KLASKANINE RIVER, tributary to the KLASKANINE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

5. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH; 123.72596 DEGREES WEST

6. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.
8. On August 6, 2007, the Clatsop County Assessor's office was contacted to clarify current ownership of the lands involved in Transfer T-10403. The Assessor's office confirmed that Weyerhaeuser Corporation is the current owner of record for Tax Lot 4900 in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 7 N, R 8 W, W.M., as well as the existing and proposed points of diversion (Tax Lot 3100 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 7 N, R 8 W, W.M.) for Certificates 63289 and 63301. The place of use is in Tax Lot 700, owned by Clatsop County.
9. On October 24, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10403 to the applicant. The draft Preliminary Determination set forth a deadline of November 30, 2007, 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.
10. On January 3, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10403 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on January 15, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

11. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Application T-10403.
13. The proposed change would not result in enlargement of the rights.
14. The proposed change would not result in injury to other water rights.


Conclusions of Law

The change in point of diversion proposed in application T-10403 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is **ORDERED**:

1. The change in point of diversion proposed in application T-10403 is approved.
2. Water right certificates 63289 and 63301 are cancelled.
3. 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 Certificates 63289 and 63301, and any related decree.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.
6. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
7. Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.
8. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 15th day of February 2008.


Phillip C. Ward, Director

fn
Mailing date: FEB 20 2008

Water Right Transfer Checklist

Transfer T-10403

Transfer Specialist: Reimbursement Authority

Transfer Type: Regular

Applicant Name/Address: Clatsop County Economic Development Council Fisheries Project, 800 Exchange Street, Suite 300, Astoria, OR 97103

Agent Name/Address: Tod Jones, 2001 Marine Drive, Room 253, Astoria, OR 97103

CWRE Name/Number: NONE

Rec Landowner Name/Address: Landowner, Weyerhaeuser Corporation, 86645 Lewis & Clark Rd, Astoria, OR 97103

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Clatsop County, 800 Exchange Street Suite 200, Astoria, OR 97103

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S 59290	S 44782	63289	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S 62991	S 46895	63301	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>06/06/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POD	
Fees Pd: <u>300.00 Fish Friendly</u>	WM District: <u>1</u>	ODFW District: <u>Troy Laws</u>
Initial Notice: <u>06/12/07</u>	WM Review sent: <u>06/13/07</u>	ODFW Review sent: <u>06/13/07</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent: <u>NONE</u>	

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☒ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>PKS</u>	Reviewer: _____
Date: _____	Date: <u>1/2/08</u>	Date: _____
Coordinator: _____	Coordinator: <u>DJP</u>	Coordinator: _____
Date: _____	Date: <u>1/9/08</u>	Date: <u>2/15/08</u>
Comments/Special Issues: <u>Reimbursement Authority</u>		

Special Order Volume: Vol 74 Pages 193

Final Order Signature Date: 2-15-08

Notice of FO email'd to processors Dorothy

STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLATSOP COUNTY ECONOMIC DEVELOPMENT
COMMITTEE FISHERIES PROJECT
C/O OSU SEAFOODS LAB. 250 36TH STREET
ASTORIA, OREGON 97103

confirms the right to use the waters of SOUTH FORK KLASKANINE RIVER, a tributary of KLASKANINE RIVER, for the purpose of AQUACULTURE.

The right has been perfected under Permit 44782. The date of priority is AUGUST 31, 1979. The right is limited to not more than 10.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NE 1/4, SECTION 31, T 7 N, R 8 W, W.M.; 850 FEET SOUTH AND 150 FEET EAST FROM THE N 1/4 CORNER OF SECTION 31.

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

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

SE 1/4 SW 1/4
SECTION 30

NE 1/4 NW 1/4
SECTION 31
TOWNSHIP 7 NORTH, RANGE 8 WEST, W.M.

THE USE OF WATER UNDER THIS RIGHT IS RESTRICTED TO THE PERIOD OF JANUARY THROUGH MAY.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 13, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63289

59290.DM

T-10403

STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLATSOP COUNTY ECONOMIC DEVELOPMENT
COMMITTEE FISHERIES PROJECT
C/O OSU SEAFOODS LAB. 250 36TH STREET
ASTORIA, OREGON 97103

confirms the right to use the waters of SOUTH FORK KLASKANINE RIVER, a tributary of KLASKANINE RIVER, for the purpose of MAINTAINING THE RESERVOIR CONSTRUCTED UNDER PERMIT R-8108 FOR AQUACULTURE.

The right has been perfected under Permit 46895. The date of priority is OCTOBER 21, 1981. The right is limited to not more than 5.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 31, T 7 N, R 8 W, W.M.; 850 FEET SOUTH AND 150 FEET EAST FROM THE N 1/4 CORNER OF SECTION 31.

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

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

SE 1/4 SW 1/4
SECTION 30

NE 1/4 NW 1/4
SECTION 31
TOWNSHIP 7 NORTH, RANGE 8 WEST, W.M.

THE USE OF WATER UNDER THIS RIGHT IS RESTRICTED TO THE PERIODS OF JUNE AND JULY, OCTOBER THROUGH DECEMBER.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 13, 1989.

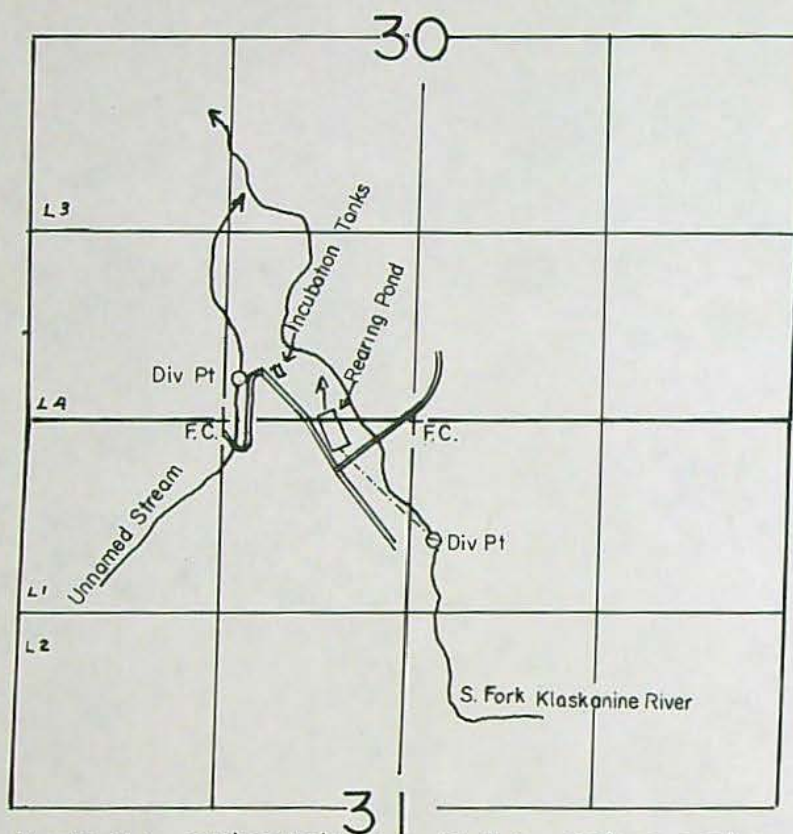
/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63301

62991.DM

T-10403

T.7N.,R.8W.,W M



River Div Pt. Loc. 850' S & 150' E, Stream Div Pt. Loc. 300' N. & 1200' W.
Both From N 1/4 Corner Section 31

SCALE: 1"=1320'

FINAL PROOF SURVEY **UNDER**

R-59289
59290
62991

R-8108
44782
46895

Application No. 65209..... Permit No. 47875.....
IN NAME OF

Clatsop County Economic Development Committee
Fisheries Project
Surveyed JUNE 20, 19....., by J.M. WARREN.....



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10403

Review Due Date: 10/19/2007

Applicant Name: CCEDC Fisheries

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

Reviewer(s): Greg Beaman

Date of Review: Oct. 19, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☒ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☐ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: n/a

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No

12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
Headgates	<input type="checkbox"/> Present and should be maintained.	<input checked="" type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10403

A. Please check box if you believe there is a potential for injury to an instream water right.

- ☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on

_____, tributary to _____. Because,
(Stream)

(Please attach any available supporting information.)

Note: This will prompt WRD to further evaluate and make a determination whether the transfer will injure an instream water right. (WRD is the agency that makes the determination of injury to a water right, while ODFW's role is to raise concerns and to evaluate proposed mitigation and net benefit to the resource if WRD requests concurrence with injury to an instream water right.)

B. Please check one of the following four boxes related to requiring a fish screen and/or by-pass device pursuant to ORS 540.525 or 540.532:

- ☒ 1. The new Point of Diversion (POD) requires a fish screening and/or by-pass device and is currently equipped with an appropriate fish screening and/or by-pass device.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

Condition: The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

- ☐ 2. The new Point of Diversion (POD) requires a fish screening and/or by-pass device prior to water being diverted. The diversion may be eligible for cost share assistance under ODFW's cost share program.

Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is

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JUL 03 2007

Please return all 4 pages to: **Transfers Section, Water Resources Department,**
725 Summer St. NE, Suite A, Salem, OR 97301-1271

WATER RESOURCES DEPT
SALEM, OREGON

The electronic version of this form is available at: <http://www1.wrd.state.or.us/msword/ODFWScreen.doc>.

selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Condition: Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ☐ 3. The new Point of Diversion (POD) requires a fish screening and/or by-pass device. However, the diversion may be used for up to two years pending a determination of whether cost share assistance under ODFW's cost share program is available.

If Option 3 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. Except in extraordinary circumstances, Option 3 should **NOT** be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. If extraordinary circumstances are present, please explain:

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost share funds become available to assist in the construction of a fish screening and/or by-pass device. If cost share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost share funding.

Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user may withdraw water at the new point of diversion without screening or by-pass devices until two years after the date of this order. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ☐ 4. The new Point of Diversion (POD) does not currently require a fish screen and/or by-pass device, however, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device may be required in the future at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device.

Condition: Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Signature

Troy S. Laws

Printed Name

Troy S. Laws

Title

Assistant Fish & Wildlife Biologist - North Coast Watershed District

Phone

(503) 842-2741 ext 245

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SALEM, OREGON

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant

(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10403

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: Tom Stahl - Fish Passage Coordinator
Address: ODFW-HQ 3406 Cherry Avenue N.E.
City/State/Zip: Salem OR, 97303-4924
Phone: (503) 947 - 6228

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____
Address: _____
City/State/Zip: _____
Phone: () _____

Landscape Conservation Strategies
2532 NE 32nd Ct
Portland, Oregon 97212-3620
Tel 503-282-1953
Fax 503-493-2512
conservationstrategies@comcast.net

Fax

To: Dorothy Pedersen Fax: 503-986-0904

From: Terrance Anthony

Job: T-10403

Date: 10/22/2007

Subj: Supporting documents

Pages: 3 (incl cover)

● Message:

As requested

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SALEM, OREGON

10-19-07 Review Checklist

Copy

Application

- ☒ The type of change is clearly indicated.
☐ The application is appropriately signed. *Agent signed on behalf of applicant*
☐ Appropriate fees were paid. *\$300 pd* ☐ If overpayment, Refund Request to be sent with FO
☒ Land use form matches affected tax lots and is signed by proper official. *(from ALI, affected Govt's)*
NR ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
☐ All required attachments received. *WM report?*

Water right subject to transfer

- ☒ Certificated right or Proof accepted "to the satisfaction...."
☐ The right been exercised according to terms & conditions of certificate.
☒ Delivery system has the capacity to fully divert the rate/duty of the right.
☒ No information in record that suggests forfeiture.
☒ No conflicts identified on the plat cards and plat card reports printed. *-print*
☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- NR* ☐ The map has an original CWRH signature.
☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
☒ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
☐ Metes and bounds for the POD's/POA's are properly described on the map.
☐ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
NR ☐ Map acres match the tabulation on the certificate.
☒ Have final proof maps/deed maps for the rights. ☒ Application map matches certificate FPS.
NR ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- ☒ Only the authorized POD's/POA's and POUs to be transferred are listed.
☒ Application & certificate tabulations match. *(Mark on appl. and cert. copies and note corrections needed) except tax lot*
NR ☐ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☐ The deed/ROI.I matches the "from" lands. (Don't need to check "to" lands.)
☒ Have current tax lot map. *(If transfer application is several years old, contact assessor's office)*
☐ The applicant is the owner of the "from" lands.
☐ All owners on the deed/ROI.I have signed the application.
☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
☐ If necessary, there is a copy of written notification to each lien holder identified on ROI.I.
☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| <input type="checkbox"/> application complete | <input type="checkbox"/> map | <input type="checkbox"/> FPS | <input type="checkbox"/> evidence of use | <input type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROI.I | <input type="checkbox"/> certificate | <input type="checkbox"/> fees paid | <input type="checkbox"/> well logs | <input type="checkbox"/> plat card |
| <input type="checkbox"/> audit | <input type="checkbox"/> dpd | | | |

- Reviews/comments/conditions received? ☒ Watermaster ☒ ODFW ☐ GW
 Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
 Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
 Injury: Y N Enlargement: Y N
 Conditions to avoid enlargement/injury

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*proposed
POD on map not
same as on App.*

T-10403 Notes

need notarized consent from WeyCo?

Verify applicant is a 'municipality' per OAR 690-380-3000 (13) b or c

→ if not, request Lot Book Report

ORS
540.510(3)(b)

✓ still need WRM review

POU is on TL 4900 but POD is not - it's on TL 3100 also
print platcard, tax map owned by WeyCo

proposed POD on Map differs from application

applicant does not appear to meet definition of municipality
unless it is incorporated as a Port District

agent signed in lieu of applicant

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WATER RESOURCES DEPT.
SALEM, OREGON

Landscape Conservation Strategies
2532 NE 32nd Ct
Portland, Oregon 97212-3620
Tel 503-282-1953
Fax 503-493-2512
conservationstrategies@comcast.net

Fax

To: Dorothy Pedersen Fax: 503-986-0904
From: Terrance Anthony
Job: T-10403 Date: 10/22/2007
Subj: Supporting documents Pages: 3 (incl cover)

● Message:

As requested

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OCT 23 2007
WATER RESOURCES DEPT.
SALEM, OREGON

Copy

Agent signed on behalf of applicant
\$300 pd

NR

win report?

NR

NR

NR

NR

proposed
! POT on map not
Same as on App.

except tax lot

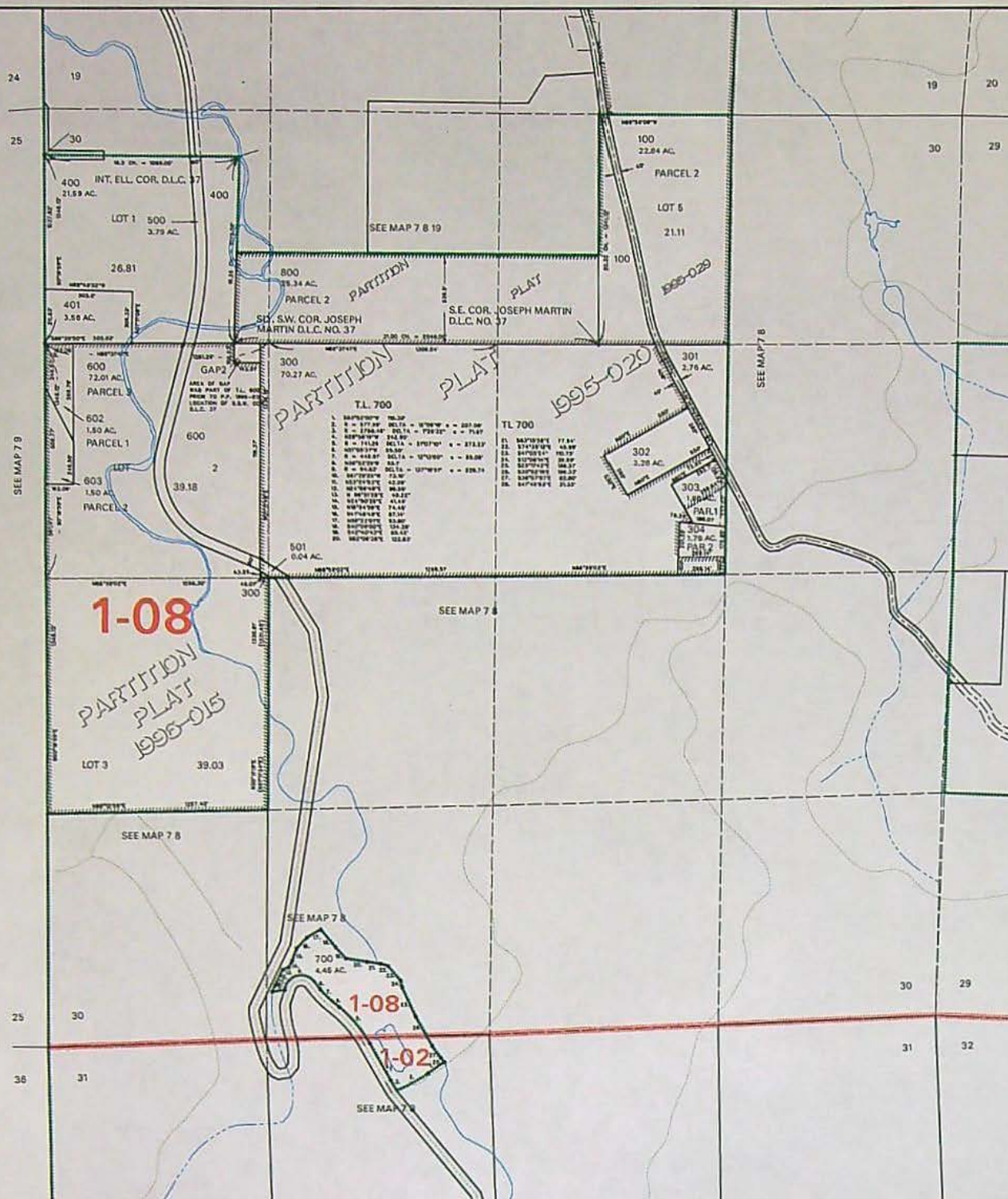
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T7N R8W SEC 30 WM
CLATSOP COUNTY
Scale 1:4800

0 400 800 1600 ft
NAD 1983/01 NAD 1983/01 StatePlane Oregon North FIPS 3001 116E east

Cancelled
Accounts

390
381
306
70W11



36	37	38	39	40	41	42
1	6	5	4	3	2	1
12	7	8	9	10	11	12
23	18	17	16	15	14	13
24	19	20	21	22	23	24
25	26	27	28	29	30	31
36	37	38	39	40	41	42



August 02, 2007



This map was produced for assessment
purposes only using Clatsop County data.
The data is maintained by Clatsop County
to support its governmental activities.
Clatsop County is not responsible for
any map errors, omissions, or
misinterpretations.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

January 3, 2008

Tod Jones
2001 Marine Drive, Room 253
Astoria, OR 97103

SUBJECT: Transfer Application T-10403

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10403. 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 30-day 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.

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.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: Greg Beaman, District 1 Watermaster
Clatsop County Economic Development Fisheries Project

encs

Pl Noticed
1-15-08
FO due 2/15/08

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-10403, Clatsop County)	PROPOSING APPROVAL OF A
)	CHANGE IN POINT OF DIVERSION

Authority

ORS 540.505 to 540.580 establishes 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. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CLATSOP COUNTY ECONOMIC DEVELOPMENT COUNCIL FISHERIES PROJECT
800 EXCHANGE STREET SUITE 300
ASTORIA, OREGON 97103

Findings of Fact

Background

1. On June 6, 2007, Clatsop County Economic Development Council Fisheries Project filed an application to change the point of diversion under Certificates 63289 and 66301. The Department assigned the application number T-10403.

2. The first right to be transferred is as follows:

Certificate: 63289 in the name of CLATSOP COUNTY ECONOMIC DEVELOPMENT
COMMITTEE FISHERIES PROJECT (perfected under Permit S-44782)

Use: AQUACULTURE

Priority Date: AUGUST 31, 1979

Rate: 10.0 CUBIC FEET PER SECOND

Season of Use: JANUARY 1 THROUGH MAY 31

Source: SOUTH FORK KLASKANINE RIVER, tributary to the KLASKANINE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

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.
--

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

3. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH, 123.72596 DEGREES WEST

4. The second right to be transferred is as follows:

Certificate: 63301 in the name of CLATSOP COUNTY ECONOMIC DEVELOPMENT COMMITTEE FISHERIES PROJECT (perfected under Permit S-46895)

Use: MAINTAINING THE RESERVOIR CONSTRUCTED UNDER PERMIT R-8108 FOR AQUACULTURE

Priority Date: OCTOBER 21, 1981

Rate: 5.0 CUBIC FEET PER SECOND

Season of Use: JUNE 1 THROUGH JULY 31 AND OCTOBER 1 THROUGH DECEMBER 31

Source: SOUTH FORK KLASKANINE RIVER, tributary to the KLASKANINE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

5. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH; 123.72596 DEGREES WEST

6. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

8. On August 6, 2007, the Clatsop County Assessor's office was contacted to clarify current ownership of the lands involved in Transfer T-10403. The Assessor's office confirmed that Weyerhaeuser Corporation is the current owner of record for Tax Lot 4900 in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 7 N, R 8 W, W.M., as well as the existing and proposed points of diversion (Tax Lot 3100 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 7 N, R 8 W, W.M.) for Certificates 63289 and 63301. The place of use is in Tax Lot 700, owned by Clatsop County.
9. On October 24, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10403 to the applicant. The draft Preliminary Determination set forth a deadline of November 30, 2007, 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.

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

10. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Application T-10403.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion proposed in application T-10403 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 application will be approved.

If application T-10403 is approved, the final order will include the following:

1. *The change in point of diversion proposed in application T-10403 is approved.*
2. *Water right certificates 63289 and 63301 are cancelled.*
3. *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 Certificates 63289 and 63301, and any related decree.*
4. *The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*

5. *The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.*
6. *Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
7. *Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.*
8. *The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
9. *When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 10th day of January 2008.


Phillip C. Ward, Director

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrд.state.or.us.

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

**Notice of Preliminary Determination for
Water Right Transfer T-10403**

T-10403 filed by Clatsop County Economic Development Council Fisheries Project, 800 Exchange Street Suite 300, Astoria, OR 97103, proposes a change in point of diversion under Certificates 63289 and 66301. These rights allow the use of 10.0 and 5.0 cfs (priority dates August 31, 1979 and October 21, 1981) from a diversion in Sec. 31, T 7 N, R 8 W, W.M. (Klaskanine River Basin) for aquaculture and maintenance of a reservoir for aquaculture use in Sects. 30 and 31. The applicant proposes to change the point of diversion to another location approximately 150 feet South (Sec. 31, T 7 N, R 8 W, W.M). The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, December 28, 2007 3:05 PM
To: 'tjones@co.clatsop.or.us'
Subject: T-10403 status

Hello Tod,

We are reviewing the preliminary determination documents for T-10403, and notice that the affidavit of use submitted with the transfer application only lists use in Section 31. Since the entirety of the rights is proposed for transfer, and the water rights list the SE SW of Section 30 also, the affidavit should document use in that quarter quarter in order for the entirety of the rights to be included in the transfer.

Could you please submit an additional or revised affidavit of use that includes SE SW of Section 30, or explain if use did not occur on that portion of the place of use?

I apologize that this was not caught much earlier.

Thank you,
Dorothy



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 10, 2007

Tod Jones
2001 Marine Drive, Rm 253
Astoria, OR 97103

SUBJECT: Application T-10403

Our evaluation of the report of ownership and lien information for the Clatsop County Economic Development Council Fisheries Project has revealed the need for some additional information.

The report prepared by the title company provides legal descriptions for two parcels owned by the Weyerhaeuser Corporation. However, each of these legal descriptions includes an exception for lands conveyed to Clatsop County. The lands owned by Clatsop County are not identified in the report in a way that would allow us to determine their precise location. At the same time, the transfer map indicates the fisheries complex is part of Tax Lot 700, which may be the identifier for the lands that were conveyed to Clatsop County.

Please clarify which tax lot the Place(s) of Use of the water rights to be transferred are located on, and if any part of the POU is on a parcel other than 3100 and 4900, (e.g. Tax Lot 700), provide a report of ownership and lien information for that parcel.

If you can provide this additional information to us by the end of this month we will do everything we can to expedite your Preliminary Determination.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.PEDERSEN@wrд.state.or.us if you have questions.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: Greg Beaman, District 1 Watermaster
Clatsop County Economic Development Council Fisheries Project

Dorothy Pedersen

From: Terrance Anthony [conservationstrategies@comcast.net]
Sent: Friday, December 07, 2007 2:29 PM
To: Dorothy Pedersen
Subject: Re: T-10403 response to dpd

Attachments: 10403-pd.doc



10403-pd.doc (91 KB)

Dorothy,

I've prepared my working PD document for this transfer, which is attached for your reference. Finding #8 was revised on the assumption that Weyco owned the lands, but that appears now not to be the case, as shown below. I will send a final PD and cover after I hear back from you.

1) On the ROLI prepared by Ticor Title, the legal descriptions do not mention the Q-Q in Section 31 where the POD is located. On the tax map the POD appears to be in TL 3100.

2) Also the legal descriptions for TL 3100 and TL 4900 state that some lands within these tax lots were conveyed to Clatsop County. Those lands are not described, but it is stated that they are identified in Book 660 page 338, Clatsop County Records. The current tax maps do not show this information. This is the first indication that I've had that the county may control the lands under the water right (likely only the POU) after all (the application lists TL 4900 as the POU as well as the POD).

So we don't really have a valid ROLI at this time. I'd suggest that you/I could make a call to the Assessor to get the info in Book 660, and/or request the applicant have the title company prepare a new ROLI based on that info. Then I can modify Finding #8 and prepare the cover letter.

Let me know what you think.

Terry

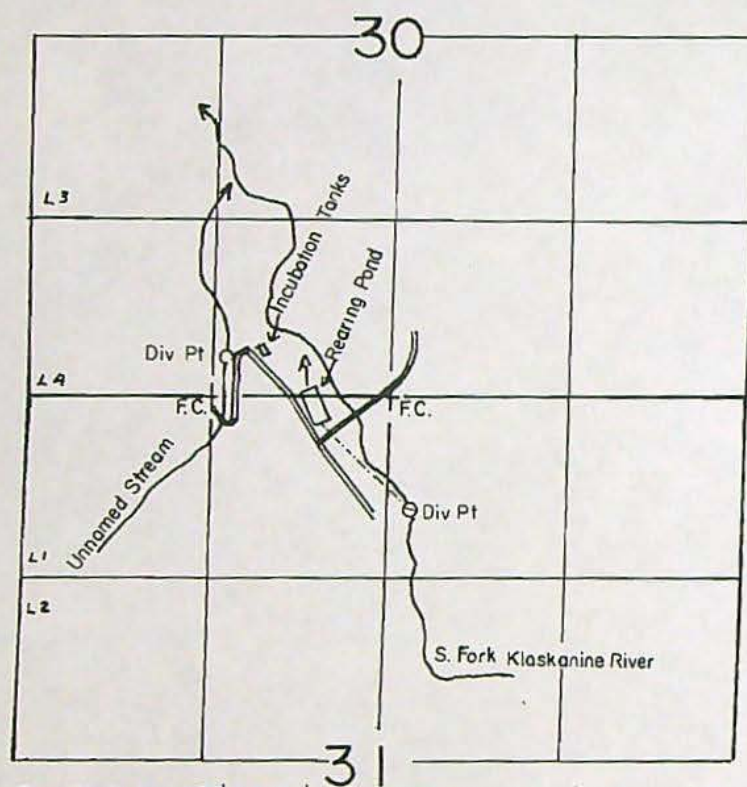
Terrance Anthony
ph 503.282.1953
fax 503.493.2512
conservationstrategies@comcast.net
----- Original Message -----
From: "Dorothy Pedersen" <pedersdi@wrdd.state.or.us>
To: "Terrance Anthony" <conservationstrategies@comcast.net>
Sent: Wednesday, December 05, 2007 1:14 PM
Subject: T-10403 response to dpd

Terry,

Attached is the response to the DPD and the report of ownership and lien information for T-10403. Please check them over and let me know if the applicant needs to send anything more. Then prepare the remaining deliverables and the Final Deliverable Cover sheet.

Thanks,
Dorothy

T.7N.,R.8W.,W M



River Div Pt. Loc. 850' S & 150' E, Stream Div Pt. Loc. 300' N. & 1200' W
Both From N 1/4 Corner Section 31

SCALE: 1"=1320'

FINAL PROOF SURVEY **UNDER**

R-59289
59290
62991

R-8108
44782
46895

Application No. 65209..... Permit No. 47875.....
IN NAME OF

Clatsop County Economic Development Committee
Fisheries Project

Surveyed JUNE 20, 19....., by J.M. WARREN.....



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

October 24, 2007

Tod Jones
2001 Marine Drive, Rm 253
Astoria, OR 97103

SUBJECT: Application T-10403

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10403. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, two items require action on your part:

1. You must submit a report of ownership and lien information for the lands to which the water right(s) are appurtenant (the FROM lands) that has been prepared within the last three months by a title company, unless you can provide documentation that the Clatsop County Economic Development Council Fisheries Project qualifies as a "municipality", as defined in ORS 540.510(3)(b). If there are lienholders identified in the report, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.
2. The signature on the application is that of the agent, not the applicant as required under OAR 690-380-3000(24). Please submit a revised signature page for the application, signed by an authorized representative of the Clatsop County Economic Development Council Fisheries Project.

Issuance of the Preliminary Determination will occur shortly after we receive your response and the requested ownership and lien information and applicant signature. If we do not receive your response and the documentation by November 30, 2007, a Preliminary Determination may be issued denying the application.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.PEDERSEN@wr.d.state.or.us if you have questions.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: Greg Beaman, District 1 Watermaster
Clatsop County Economic Development Council Fisheries Project

enc

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

In the Matter of Transfer Application
T-10403, Clatsop County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN POINT OF DIVERSION

Authority

ORS 540.505 to 540.580 establishes 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. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CLATSOP COUNTY ECONOMIC DEVELOPMENT
COUNCIL FISHERIES PROJECT
800 EXCHANGE STREET SUITE 300
ASTORIA OR 97103

Findings of Fact

Background

1. On June 6, 2007, Clatsop County Economic Development
2. Council Fisheries Project filed an application to change the point of diversion under Certificates 63289 and 66301. The Department assigned the application number T-10403.
3. The first right to be transferred is as follows:

Certificate: 63289 in the name of CLATSOP COUNTY ECONOMIC DEVELOPMENT COMMITTEE FISHERIES PROJECT (perfected under Permit S-44782)

Use: AQUACULTURE

Priority Date: AUGUST 31, 1979

Rate: 10.0 CUBIC FEET PER SECOND

Season of Use: JANUARY 1 THROUGH MAY 31

Source: SOUTH FORK KLASKANINE RIVER, tributary to KLASKANINE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

4. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH, 123.72596 DEGREES WEST

5. The second right to be transferred is as follows:

Certificate: 63301 in the name of CLATSOP COUNTY ECONOMIC DEVELOPMENT COMMITTEE FISHERIES PROJECT (perfected under Permit S-46895)

Use: AQUACULTURE

Priority Date: OCTOBER 21, 1981

Rate: 5.0 CUBIC FEET PER SECOND

Season of Use: JUNE 1 THROUGH JULY 31 AND OCT 1 THROUGH DEC 31

Source: SOUTH FORK KLASKANINE RIVER, tributary to KLASKANINE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	850 FEET SOUTH AND 150 FEET EAST FROM THE N1/4 CORNER OF SECTION 31

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q
7 N	8 W	WM	30	SE SW
7 N	8 W	WM	31	NE NW

6. Application T-10403 proposes to move the authorized point of diversion approximately 150 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 N	8 W	WM	31	NW NE	46.05130 DEGREES NORTH; 123.72596 DEGREES WEST

7. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
8. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

9. On August 6, 2007, the Clatsop County Assessor's office was contacted to clarify current ownership of the lands involved in Transfer T-10403. The Assessor's office confirmed that Weyerhaeuser Corporation is the current owner of record for the lands appurtenant to the place of use (Tax Lot 4900 in the SE ¼ SW ¼ of Section 30 and the NE ¼ of NW ¼ of Section 31, Township 7N, Range 8W, W.M.) as well as existing and proposed points of diversion (Tax Lot 3100 in the NW ¼ NE ¼ of Section 31, Township 7N, Range 8W, W.M.) for Certificates 63289 and 63301.

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

10. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10403.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in point of diversion proposed in application T-10403 appear 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 application will be approved.

If application T-10403 is approved, the final order will include the following:

1. *The changes in point of diversion proposed in application T-10403 are approved.*
2. *Water right certificates 63289 and 63301 are cancelled.*
3. *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 Certificates 63289 and 63301 and any related decree.*
4. *The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.*
6. *Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning*

construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.

- 7. Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.*
- 8. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
- 9. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrld.state.or.us.

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10403

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: Tom Stahl - Fish Passage Coordinator

Address: ODFW-HQ 3406 Cherry Avenue N.E.

City/State/Zip: Salem OR, 97303-4924

Phone: (503) 947-6228

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: () _____

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, August 06, 2007 5:40 PM
To: Greg Beaman
Subject: Watermaster review for T-10403

Hi Greg,

We have a Reimbursement Authority contractor preparing to put together a draft preliminary determination for T-10403 (Clatsop County Economic Development Council Fisheries Project), however, I don't see that we have a watermaster review yet for that application. Could you give me an estimate of when we might expect the watermaster review to be completed?

Thanks,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 06/12/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: Clatsop
Transfer: T -10403
Water Right: Cert:63289 OR *, Cert:63301 OR *
Priority Date: 1979, 1981
Name: CLATSOP COUNTY ECONOMIC DEV COUNCIL FISHERIES
PROJECT
Address: 800 EXCHANGE STREET SUITE 300; ASTORIA OR 97103
Change: POD
Source: SOUTH FORK KLASKANINE RIVER > KLASKANINE RIVER
Authorized POD: T7N R8W 31
Proposed POD: T7N R8W 31

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

June 12, 2007

CLATSOP CO ECONOMIC DEVELOPMENT
COUNCIL FISHERIES PROJECT
800 EXCHANGE STREET SUITE 300
ASTORIA OR 97103

Reference: Transfer 10403

On June 6, 2007 we received your water right transfer application. The application was accompanied by \$300.00 plus \$125.00 for Reimbursement Authority fees. Our receipt 87991 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 change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. 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 transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #1
Troy Laws, ODFW
Tod Jones, Agent
Clatsop County (800 Exchange St, Suite 200, Astoria, OR 97103)
Weyerhaeuser Corporation (86645 Lewis & Clark Rd, Astoria, OR 97103)

enclosure

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name:

CEEDC Fisheries

(Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- 1) an adjudication with a court decree; or
- 2) a certificate that is not cancelled; or
- 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, RETURN the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Transfer process?

[ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

If the application proposes a change other than those listed above, RETURN the application & fee to the applicant.

Section C – Fees

Have the appropriate fees been paid?

Total Required Fees:

175 + 125

Fee Schedule – ORS 536.050(1)(h)

- \$350 - Base fee (1st change and 1st CFS of water)
- + \$350 - Each additional type of change requested
- + \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS (for POU, Type of Use, or Exchange)

Total Fees Paid:

300

Fees Due (if any):

0

Refund Due (if any):

0

If the applicant has NOT submitted the total fees required, RETURN the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Transfer application complete?

All required elements necessary for a complete transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is NOT complete, RETURN the application & fee to the applicant.

- Type of transfer application

(Page 1)

- Applicant's name, mailing address and contact information.

(Page 1)

- Agent's name, mailing address and contact information, if applicable.

(Page 1)

- Are the water rights to be affected by this transfer listed?

(Page 2)

If there are multiple water rights listed.... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

		Checklist for Supplemental Form A – (Attachments)	
OK	OK	• Certificate # filled in on each page?	(Page 1)
OK	OK	• Type of change(s) proposed clear?	(Page 1)
OK	OK	• Current Water Right information is complete?	(Page 2)
N/A	N/A	<p>• If for a change in POU or USE.....</p> <p>Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO</p> <p>If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).</p> <p>If layered with GR, must submit a GR Modification application as well as this application.</p> <p>Are they included in application? If not, contact applicant or agent.</p>	(Page 2)
OK	OK	<p>• Location description of the authorized POA/POD to be changed.</p> <p>NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.</p> <p>Additionally, if the existing authorized source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>	(Page 3)
N/A	N/A	<p>• Location description of the existing authorized POU and associated acres (if applicable).</p> <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	(Page 4)
OK	OK	<p>• Location description of the proposed POA/POD.</p> <p>NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.</p> <p>Additionally, if the proposed source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.</p>	(Page 5)
N/A	N/A	<p>• Location description of the proposed POU and associated acres (if applicable).</p> <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	(Page 6)
Return back to Page 2 of transfer application			
OK		• The type of changes being proposed.	(Page 2)
OK		• Reason for the transfer.	(Page 2)
OK		• Description of current water delivery system.	(Page 2)
OK		• System Capacity.	(Page 2)

	Checklist for Supplemental Form B – (Attachments)	
OK	• Is there a box checked in #1?	(Page 1)
OK	• Is there a box checked in #2?	(Page 1)
OK	• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? NO	(Page 1)
OK	• In question #4 and #5 are they filled out. 2)	(Page 2)
OK	• Is there a box checked in #6?	(Page 2)
OK	• Is the #6 supporting documentation included with application? 2)	(Page 2)
OK	• Is there an original signature of the notary and notary stamp? 2)	(Page 2)
Return back to Page 3 of transfer application		
OK	• Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided.	(Page 3)
OK	• Is the applicant the Landowner of the “from” and “to” Lands? YES NO If NO The applicant must list current landowner name & address.	(Page 4)
OK	• Who will be responsible for completion of the changes? Applicant Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	• Map..... (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map if more than 3 rights are included in transfer, is there a separate map for each water right? If larger than 8 ½ X 14 than 3 copies of map is needed & an electronic pdf file of map north arrow size & scale other: _____ authorized acreage per ¼ ¼ matches the water right authorized POD/POA and POU (clearly shown, labeled & matches application listing) point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR proposed POD/POA and/or POU (clearly shown, labeled & matches application “proposed” listing) location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
OK	• Land Use form, if applicable. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
N/A	• If a groundwater right is involved, are the well logs or a description included.	(Page 5)
N/A	• If this is an instream water right transfer, is there a form C included and filled out.	(Page 5)

fish friendly

OK	<ul style="list-style-type: none">• Signature(s) of applicant(s): Are one of the boxes checked? <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.
----	---

(Page 6)

WRD Completeness Reviewer's Name: S. Henderson Date: 6-7-07

Clatsop County



December 12, 2007

ATTN: Dorothy Pedersen
Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97103-1266

SUBJECT: Application T-10403

In receipt of your letter of December 10, 2007 the Point of Use (POU) of water rights under the above application is in tax lot 700 and is owned by the applicant, Clatsop County. Please find attached maps identifying the County property in question with the fish pond outlined in the southernmost portion. Thank you for expediting this request.

Sincerely,

Toni Muelle for Tod Jones

Tod Jones
Project Manager

Enclosure

Department of
Community Development
800 Exchange Street
Suite 100
Astoria, Oregon 97103

www.co.clatsop.or.us

CEDC Fisheries Project
2001 Marine Drive
Room 253
Astoria, Oregon 97103
Telephone (503) 325-6452
Fax (503) 325-2753
www.safesalmon.net

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DEC 13 2007

WATER RESOURCES DEPT
SALEM, OREGON

88748 GMR

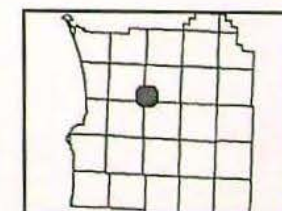
Clatsop County Assessment & Taxation

- PLS
- PLS
- PLS Townships
- Tax Lot Arrows
- Tax Map
- Water Body
- River
- Creek
- Parcel Boundary
- Supplemental Boundary
- 34
- DLC
- Road R-O-W
- RR R-O-W

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2/5/2004



This map was produced using the Clatsop County GIS data. The GIS data is maintained by the county to support its governmental activities. The County is not responsible for map errors, omissions, misuse or misinterpretation.

1in. = 622 ft.

T7N R8W SEC 30 WM
CLATSOP COUNTY

Scale 1:4800

NAD 1983/91 NAD83 StatePlane Oregon North FIPS 3201 Unit: Feet

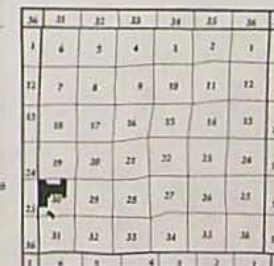
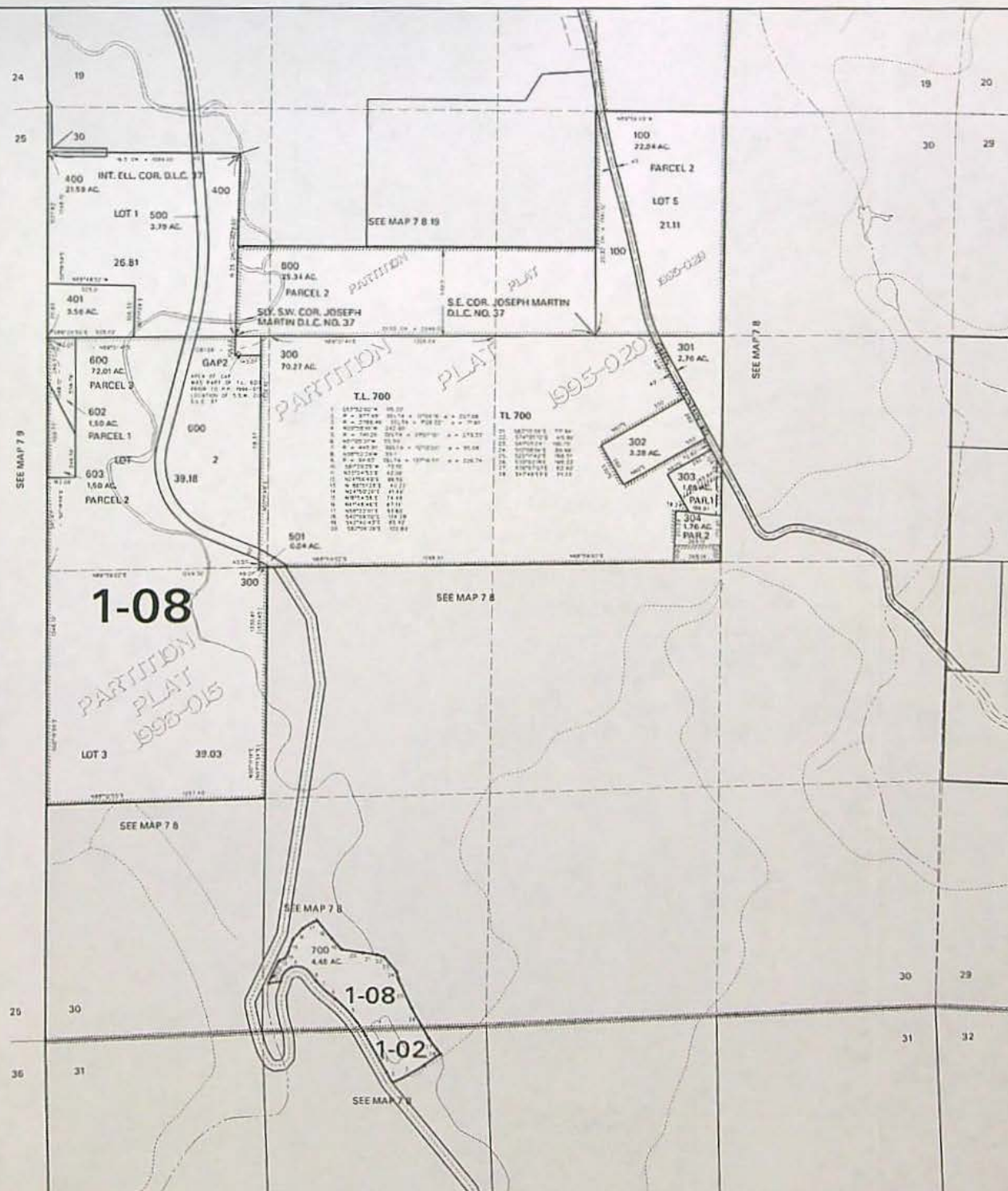
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SALEM OREGON



This map was prepared for assessment purposes only using a digital camera. The data is maintained by Clatsop County. No warranty is given or intended as to the accuracy of the data. Clatsop County is not responsible for any map errors, omissions, or misstatements.

November 14, 2007

7.8.30



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 10, 2007

Tod Jones
2001 Marine Drive, Rm 253
Astoria, OR 97103

SUBJECT: Application T-10403

Our evaluation of the report of ownership and lien information for the Clatsop County Economic Development Council Fisheries Project has revealed the need for some additional information.

The report prepared by the title company provides legal descriptions for two parcels owned by the Weyerhaeuser Corporation. However, each of these legal descriptions includes an exception for lands conveyed to Clatsop County. The lands owned by Clatsop County are not identified in the report in a way that would allow us to determine their precise location. At the same time, the transfer map indicates the fisheries complex is part of Tax Lot 700, which may be the identifier for the lands that were conveyed to Clatsop County.

Please clarify which tax lot the Place(s) of Use of the water rights to be transferred are located on, and if any part of the POU is on a parcel other than 3100 and 4900, (e.g. Tax Lot 700), provide a report of ownership and lien information for that parcel.

If you can provide this additional information to us by the end of this month we will do everything we can to expedite your Preliminary Determination.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.PEDERSEN@wrđ.state.or.us if you have questions.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: Greg Beaman, District 1 Watermaster
Clatsop County Economic Development Council Fisheries Project

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SALEM OREGON

Clatsop County



November 7, 2007

Oregon Water Resources Department
Dorothy Pedersen, Field Services Division
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Department of
Community Development
800 Exchange Street
Suite 100
Astoria, Oregon 97103

www.co.clatsop.or.us

SUBJECT: Application T-10403

Enclosed are the two items (report of ownership and lien information and revised signature page for the application) as requested in your letter dated October 24, 2007 received with a draft of your Preliminary Determination, and an affidavit from the owner of the land to which the water rights are appurtenant.

CEDC Fisheries Project
2001 Marine Drive
Room 253
Astoria, Oregon 97103
Telephone (503) 325-6452
Fax (503) 325-2753
www.safesalmon.net

With regard to Determination and Proposed Actions 5, 6 and 7 the water measuring device and headgate control are being designed and built by Oregon Department of Fish and Wildlife engineers according to their fish passage and screen guidelines. Please call if you have any questions.

Respectfully,

A handwritten signature in dark ink, appearing to read "Tod Jones".

Tod Jones
Project Manager

Enclosures

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WATER RESOURCES DEPT
SALEM OREGON



Weyerhaeuser
The future is growing™

86645 Lewis and Clark Rd
PO Box 998
Seaside OR 97138
Tel (503) 738 6351
Fax (503) 738 9253

November 5, 2007

Oregon Water Resources Department
Dorothy Pedersen, Field Services Division
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

SUBJECT: Transfer Application T-10403

This letter is notification that Weyerhaeuser Company, owner of the property to which water rights affected by Transfer T-10403 are appurtenant (described below), is aware of and consents to the change.

Parcel No. 1:

The East half of the Northeast quarter; the East half of the Southwest quarter; and the Southeast quarter of Section 30, Township 7 North, Range 8 West, Willamette Meridian, in the County of Clatsop, State of Oregon.

Parcel No. 2:

The Northeast quarter of the Northwest quarter of Section 31, Township 7 North, Range 8 West, Willamette Meridian, in the County of Clatsop, State of Oregon.

Respectfully,

Chris Antilla
Land Use Manager

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WATER RESOURCES DEPT
SALEM, OREGON



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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: CLATSOP COUNTY ECONOMIC DEVELOPMENT COUNCIL FISHERIES PROJECT
First Last
Address: 800 Exchange Street, Suite 300
Astoria OR 97103
City State Zip
Phone: (503) 325-1000
Home Work Other
Fax: (503) 325-8325 E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: Tod Jones
First Last
Address: 2001 Marine Drive, Rm 253
Astoria OR 97103
City State Zip
Phone: _____ (503) 325-6452 cell (503) 791-3450
Home Work Other
Fax: (503) 325-2753 E-Mail address: tjones@co.clatsop.or.us

- If an agent is listed above, please check one of the following:
 - ☒ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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WATER RESOURCES DEPT
SALEM, OREGON

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.		46895	63301 62991.DM
2.		44782	63289 59290.DM
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☐ Place of Use ☒ Point of Diversion ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
 - ☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): Removal of dam and screening structure to comply with state and federal fish passage and screening criteria. Replace with low-head diversion upstream 150'.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

4' X 4' concrete dam with associated overflow horizontal screening.

Connects to 30" X 800' pipeline to earthen pond.

- System capacity: 10 + 5 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Multiple right depending upon month of the year. Screening is

adjustable to control volume.

T 10403

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is 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? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Clatsop County

800 Exchange Street, Suite 200

Astoria, OR 97103

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8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☒ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): Weyerhaeuser Corporation
First Last

Address: 86645 Lewis and Clark Road

Astoria OR 97103
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☐ Yes ☒ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): Weyerhaeuser Corporation
First Last

Address: 86645 Lewis and Clark Road

Astoria OR 97103
City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

T 10403

9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

Map

- ☒ Water Right Transfer
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ Temporary Transfer or Historical POD Change
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☒ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 300.⁰⁰
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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WATER RESOURCES DEPT
SALEM, OREGON

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

- Check one of the following, as appropriate, and sign the application in the signature box below:

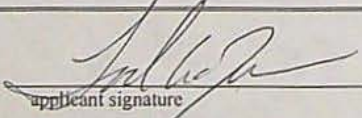
☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a **notarized statement consenting to the transfer (attached)** signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☒ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

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

 applicant signature	<u>Tod A. Jones</u> name (print)	<u>06/04/07</u> date
_____ applicant signature	_____ name (print)	_____ date

1 10403

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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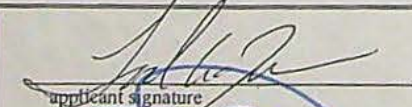
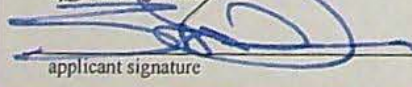
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- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☒ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

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

 applicant signature	<u>Tod A. Jones</u> name (print)	<u>06/04/07</u> date
 applicant signature	<u>Scott Derickson</u> name (print)	<u>10-29-07</u> date

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WATER RESOURCES DEPT FS
SALEM, OREGON

9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☒ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☒ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 300.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 63289

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	63289 <small>Certificate Number</small>	S 44782 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	 <small>Name of Decree</small>	 <small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	 <small>Permit Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 <small>Previous Transfer Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: Clatsop County Economic Development Fisheries
- County: Clatsop
- Authorized Use(s) to be Affected by Transfer: Point of Diversion
- Priority Date(s): August 31, 1979

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: South Fork Klaskanine River

Tributary to: Youngs Bay

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☒ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

T 10403

▪ Certificate Number or other identifying number: 63289

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	SF Klaskanine 8/31/1979	7N	8W	W.M.	31	N 1/4	4900	46° 03.105 N 123° 43.552 W

▪ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. *Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

or

B. *If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.*

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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WATER RESOURCES DEPT
SALEM, OREGON

T 10403

■ Certificate Number or other identifying number: NA 63289

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

▪ Certificate Number or other identifying number: 63289

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
South Fork Klaskanine	7N	8W	W.M.	31	N 1/4		46° 03.077 N 123° 43.561 W

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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SALEM, OREGON

▪ Certificate Number or other identifying number: NA 63289

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☒ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

[illegible]

Remarks: _____

T 10403

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: 63301

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	63301 <small>Certificate Number</small>	S 46895 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	 <small>Name of Decree</small>	 <small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	 <small>Permit Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 <small>Previous Transfer Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: Clatsop County Economic Development Fisheries
- County: Clatsop
- Authorized Use(s) to be Affected by Transfer: Point of Diversion
- Priority Date(s): October 21, 1981

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: South Fork Klaskanine River

Tributary to: Youngs Bay

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☒ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

T 10403

▪ Certificate Number or other identifying number: 63301

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	South Fork Klaskanine	7N	8W	W.M.	31	N 1/4	4900	46° 03.105 N 123° 43.552 W
	10/21/1981							

▪ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: NA 63301

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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▪ Certificate Number or other identifying number: 63301

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
South Fork Klaskanine	7N	8W	W.M.	31	N 1/4	4900	46° 03.077 N 123° 43.561 W

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: NA 63301

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

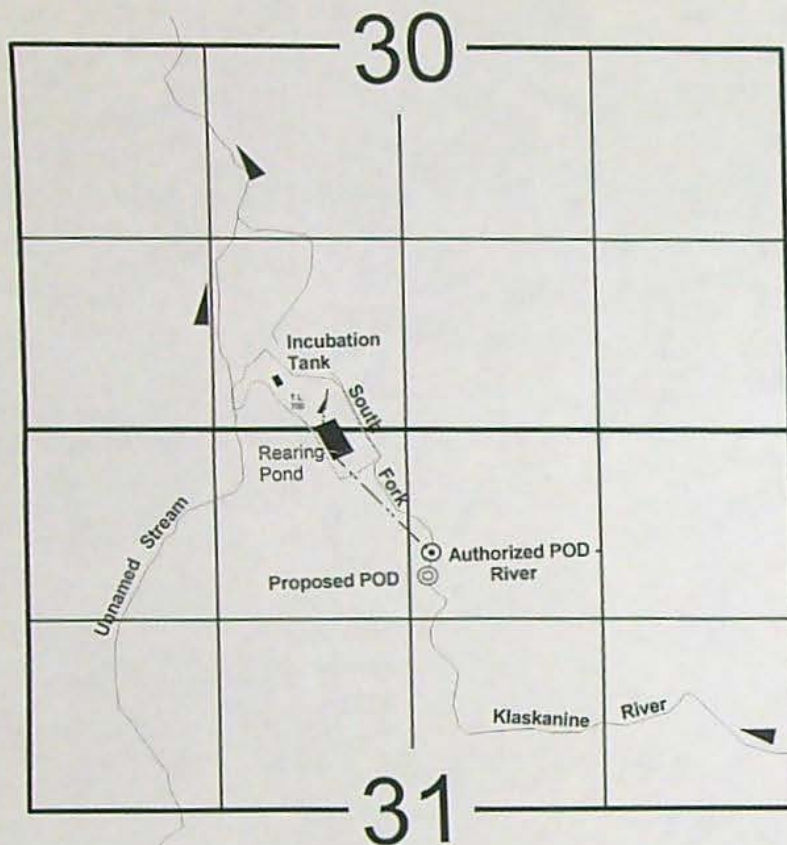
Location of Proposed Place of Use: (i.e., the "TO" lands) ☒ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

Remarks: _____

10403

T 7 N, R 8 W, W.M.



River POD - 850 feet South and 150 feet East
from the N $\frac{1}{4}$ Corner of Section 31. T 7 N, R 8 W, W.M.

Proposed River POD - 46.05130° North, 123.72596° West

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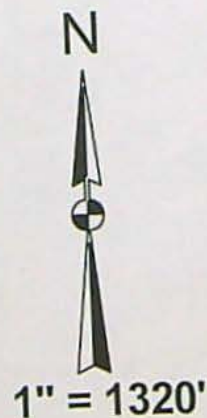
Transfer Application Map
T- _____
for
Clatsop County Economic
Development Council
Fisheries Project

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Preparation of this map is for the purpose of
identifying the location of the water right only and
has no intent to provide dimensions or location of
property ownership lines.

Drafted by OWRD
PKS - 4/30/2007
OWRD GIS data sources



Oregon

Theodore R. Kulongoski, Governor

Department of Fish and Wildlife

North Coast Watershed District

4907 Third Street

Tillamook, OR 97141

(503) 842-2741

FAX (503) 842-8385

www.dfw.state.or.us



January 26, 2007

Dorothy Pedersen
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Subject: Change in point of diversion of water at the Clatsop Economic Development Council (CEDC) South Fork Klaskanine Fish Hatchery in Clatsop County.

Dear Dorothy:

The CEDC fishery project is in the process of making various system improvements to its South Fork Klaskanine Fish Hatchery. One of the proposed improvements is to replace its water intake diversion structure located in the South Fork Klaskanine River. The current diversion structure is a passage barrier to native migratory fish, primarily salmonids. The replacement diversion will allow unimpeded passage to all life stages of fish for both up and downstream migrants. Site conditions and design requirements necessitates CEDC gaining approval from OWRD to change their point of diversion from its existing location to a point upstream approximately 150 feet. Oregon Department of Fish and Wildlife - North Coast Watershed District is supportive of this action as it will resolve a long standing fish passage problem at this location. The affected water rights of this proposal are #63289 and #63301 and are for non-consumptive aquaculture use. No changes to these certificates are anticipated other than moving the point of diversion. The benefits include: Improved/non-impeded juvenile and adult fish passage, improved fish screening at the new water intake, and improved ability for the hatchery facility to manage its water withdrawal.

Sincerely,

Troy Laws

Troy Laws
Assistant Fish and Wildlife Biologist
Astoria Field Office

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Post-it Fax Note	7671	Date	1-31-07	# of pages	1
To	Troy Jones	From	Troy Laws	Co.	
Co/Dept.		Phone #		Fax #	

T 10403



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

Water Right Transfer Supplemental Form Map Waiver

The Director may waive or assist a transfer applicant in satisfying the map requirement (OAR 690-380-3100) for certain transfers if the criteria described in this form are met pursuant to OAR 690-380-3410.

This form must be prepared by the transfer applicant and the appropriate Regional Manager for the Oregon Water Resources Department. To prepare the form, a copy of the complete transfer application, including a description of the water rights to be transferred, must be provided to the Regional Manager.

This map waiver form must be signed by the Regional Manager and submitted with the transfer application.

Transfer Applicant: Clatsop County

Water Right(s) to be transferred: #63289 and #63301

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1. The transfer **must** be one of the following. Please check the appropriate box.

- ☐ An instream transfer application filed pursuant to ORS 537.348.
- ☐ A transfer application necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.375; or
- ☒ The transfer application is determined and endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

2. For an **instream transfer application filed pursuant to ORS 537.348**, a map waiver shall only be approved if the application meets one of the following additional criteria. Please check the appropriate box.

- ☐ The entirety of the right is being transferred to an instream water right and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream; or
- ☐ A map meeting the requirements of the transfer rules (OAR 690-380-3100) is available showing the lands not included in the transfer and the location of the instream water right can be clearly delineated through reference to the existing point of diversion for the transferred right and other points of diversion or geographic reference points such as the mouth of the stream. (Please include copy of map(s) with transfer application.)

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FEB 02 2007

Transfer Application Map Waiver Form

1 -

FSD Last Revised 3/6/2006

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3. For a transfer application meeting any one of the criteria identified in #1 (including an instream transfer application), a map waiver may also be approved if other circumstances are present that make an application map unnecessary. If #2 does not apply, but circumstances are present that make an application map unnecessary, describe those circumstances below:

N/A

4. For any transfer application meeting one or more of the criteria identified in #1 that does not meet the criteria for a map waiver as described in #2 or #3, the Department may assist the applicant in development of the application map. The Department (through the regional office) may provide this assistance at the discretion of the appropriate Regional Manager. Please check the appropriate box below if the Department has provided assistance in development of the transfer application map:

☐

A map meeting the requirements of OAR 690-380-3100 has been prepared by Department staff and is included with the transfer application.

☒

The map provided with the transfer application has been developed with assistance from Department staff and meets the requirements of OAR 690-380-3100. except for signature of a WRE (OAR 690-380-3100(a))

Signature: William S. Fedry

OWRD Regional Manager, Northwest Region

Date: 2007.5.16

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RECEIVED

JUN 06 2007

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SALEM, OREGON

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FEB 02 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10403

Clatsop County



January 2, 2008

Dorothy Pedersen
Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Department of
Community Development
800 Exchange Street
Suite 100
Astoria, Oregon 97103

www.co.clatsop.or.us

Please find enclosed an amended page one of the Water Right Transfer Supplemental Form B, AFFIDAVIT ATTESTING TO THE USE OF WATER as part of a request to transfer water rights by Point of Diversion Change. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Jones".
Todd Jones
Project Manager

CEDC Fisheries Project
2001 Marine Drive
Room 253
Astoria, Oregon 97103
Telephone (503) 325-6452
Fax (503) 325-2753
www.safesalmon.net

Enclosure

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JAN 03 2008

WATER RESOURCES DEPT
SALEM OREGON

Water Right Transfer Supplemental Form B **AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of Clatsop)

I, Tod Jones, in my capacity as Project Manager,
 mailing address 2001 Marine Drive, Rm 253, Astoria, OR 97103
 telephone number (503) 325-6452, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

- ☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
7	N	8	W	W.M.	31	NE of NW	4900	N/A
7	N	8	W	W.M.	30	SE of SW	4900	N/A

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JAN 03 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

(continues on reverse side)

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

State of Oregon)
County of CLATSOP) ss

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

- ☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

[illegible]

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JUN 06 2007

WATER RESOURCES DEPT
SALEM, OREGON

(continues on reverse side)

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

T 10403

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

aquaculture

5. The water delivery system used to apply water as authorized by the right is described below:

800' pipeline (buried) to fish pond, then back into river

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☒ Other: Attached water use logs

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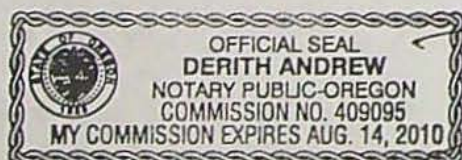
WATER RESOURCES DEPT
SALEM, OREGON

Signature of Affiant

Date

02/07/07

Signed and sworn to (or affirmed) before me this 7th day of Feb, 2007



Notary Public for Oregon

My Commission Expires: Aug 14 2010

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



2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER-ID 1308

2004



Facility  POD-ID 	<i>Inc. Crk.</i> CEDC Fisheries 12476	<i>Storage</i> CEDC Fisheries 12477	<i>pond 3</i> CEDC Fisheries 12478 (Jan-May)	<i>pond 3</i> CEDC Fisheries 12478 (Jun-Jul, Oct-Dec) 5.94 CF	<i>pond 3</i> CEDC Fisheries 12478 (Aug-Sep)
October - 2003	1.05 CF	4 AF			
November - 2003	1.05	4		11.86	
December - 2003	1.05	4		10.98	
January - 2004	1.05	4	9.69 CF		
February - 2004	1.05	4	10.85 CF		
March - 2004	1.05	4	9.09 CF		
April - 2004	1.05	4	12.31 CF		
May - 2004	1.05	4	9.27 CF		
June - 2004	0	4		8.71 CF	
July - 2004	0	4		6.20 CF	
August - 2004	0	4			5.54 CF
September - 2004	0	4			9.79 CF
TOTAL *	8.40 CF	48 AF	51.21 CF	43.69 CF	15.33 CF

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WATER RESOURCES DEPT
SALEM OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: sharp crest weir. If use is irrigation, total number acres irrigated NA

I certify this information is true and accurate to the best of my knowledge.


Signature

Project Manager
Title

Clatsop County / CEDC Fisheries
Reporting Entity

12/1/04
Date

Tod A. Jones
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.

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Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

October 18, 2005

TOD JONES,
CLATSOP COUNTY ECONOMIC DEVELOP FISHERIES
2001 MARINE DR RM 253
ASTORIA, OR 97103

REFERENCE: USER_ID 1741

Dear Water User:

We have appreciated your cooperation with the Water Use Reporting program in the past. And now, with the loss of the water use coordinator position through budget reductions, we hope you can help us even more. We are requesting all who need to report monthly quantities and have Internet access to report those quantities online through our website. For the time being, the water use reporting database will not be updated with new water right information. If you need to report on a new water right not in the reporting database, you will need to submit a hard copy form. A 2005 monthly quantities form is printed on the reverse you can copy for your use.

To report monthly quantities data online, go to our web page at www.wrd.state.or.us and click on the link 'Water Use Reporting' under 'current topics'. Then, click on 'Submit your water use report data' on the Water Use Reporting page. A logon screen then appears and you use your USER_ID for both the Username and Password. To submit data for a point of diversion, scroll down to the point of diversion and click on 'Insert' to add data for that diversion. Be sure to be careful to choose the correct units, enter the monthly amounts diverted, and then click the 'Update' button. You will then be given the opportunity to review the data for that diversion to make sure it is correct. Please do so, as once data has been submitted by clicking the 'Submit' button, you cannot edit it. Also, please remember to enter zeros if you did not use a diversion. At present, the system can receive data only for the 2005 water year (October 2004 – September 2005). If you wish to submit data for another year, you will need to submit a hard copy. Thank you in advance for your cooperation. The data you provide is valuable for water management in Oregon.

Finally, if you have small water rights (less than 0.1 cfs or 9.2 AF) and do not report monthly quantities for them, we will assume that you have used water according to those rights.

Yours truly,

Gary L. Ball, PE, PLS
Hydrographics/Measurement & Reporting Manager
Voice: 503-986-0831, Fax: 503-986-0902
Gary.L.BALL@wrd.state.or.us

**2004**

Oregon Water Resources Department
October 2004 through September 2005
Annual Water Use - Monthly Quantities Form

USER-ID _____

2005

Facility <input checked="" type="checkbox"/>	INC. Creek	Pond Storage	pd 3 Flow Jan-May	pd 3 Flow Jun-July, Oct-Dec	
POD-ID <input checked="" type="checkbox"/>	12476/47875	12477/44782	12478/44782	12478/46895	
October - 2004	0.92 CFS	3.31 AF		8.61 CFS	
November - 2004	0.94			9.63	
December - 2004	0.95			9.63	
January - 2005	1.03		10.39 CFS		
February - 2005	1.02		10.41		
March - 2005	0.98		10.25		
April - 2005	0.84		6.99		
May - 2005	0.74		9.75		
June - 2005	0.54			10.22	
July - 2005	0.39	↓		9.72	
August - 2005	0.16				
September - 2005	0.13				
TOTAL *	8.64	33.10	47.79	47.81	

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WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Sharp Crest weir. If use is irrigation, total number acres irrigated NA

I certify this information is true and accurate to the best of my knowledge.

Signature

Project Manager CEDC Fisheries

Title

Reporting Entity

Date

Tod Jones

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.

450 gpm = 1 CFS

110403



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

October 30, 2006

TOD JONES,
CLATSOP COUNTY ECONOMIC DEVELOP FISHERIES
2001 MARINE DR RM 253
ASTORIA, OR 97103

REFERENCE: USER_ID 1741

Dear Water User:

We appreciate your continued cooperation with the Water Use Reporting program. We again request that you report your water use online. If you need to report on a new water right not in the reporting database, you will need to submit a hard copy form. A 2006 monthly quantities form is printed on the reverse.

To report monthly quantities data online, go to our web page at www.wrd.state.or.us and click on the link 'Water Use Reporting' under 'current topics'. Then, click on 'Submit your water use report data' on the Water Use Reporting page. Your USER_ID number is both your Username and your Password to log in. To submit data for a point of diversion, scroll down to the point of diversion and click on 'Insert' to add data for that diversion. Enter the data for one point of diversion at a time. Be sure to be careful to choose the correct units, enter the monthly amounts diverted, and then click the 'Update' button. You will then be given the opportunity to review the data for that diversion to make sure it is correct. Please do so, as once data has been submitted by clicking the 'Submit' button, you cannot edit it. Also, please remember to enter a zero if you did not use a diversion during a month. At present, the system can receive data only for the 2006 water year (October 2005 – September 2006). If you wish to submit data for another year, you will need to submit a hard copy.

Finally, if you use small water right (less than 0.1 CFS or 9.2 AF) and do not measure monthly quantities, you may report the maximum volume allowed under the right. For rates in CFS,

$$\text{AF} = 1.98 * \text{CFS} * (\# \text{ of days in the month})$$

Thank you in advance. The data you provide is valuable for water management in Oregon.

Yours truly,

Gary L. Ball, PE, PLS
Hydrographics/Measurement & Reporting Manager
Voice: 503-986-0831, Fax: 503-986-0902
Gary.L.BALL@ wrd.state.or.us

2005

Oregon Water Resources Department
October 2005 through September 2006
Annual Water Use - Monthly Quantities Form

USER-ID

2006



Facility	<i>Tnc Creek</i>	<i>Pond Storage</i>	<i>JAN-MAY</i>	<i>JUN-JULY, OCT-DEC</i>	
POD-ID	<i>12476/47875</i>	<i>12477/44782</i>	<i>12478/44782</i>	<i>12478/46895</i>	
October - 2005	<i>0</i>	<i>3.31</i>		<i>6.43</i>	
November - 2005	<i>1.11</i>	<i>3.31</i>		<i>8.44</i>	
December - 2005	<i>1.01</i>	<i>0</i>		<i>0</i>	
January - 2006	<i>1.07</i>	<i>+</i>	<i>0</i>	<i>+</i>	
February - 2006	<i>1.03</i>	<i>+</i>	<i>↓</i>	<i>+</i>	
March - 2006	<i>1.04</i>	<i>+</i>	<i>↓</i>	<i>+</i>	
April - 2006	<i>0.92</i>	<i>+</i>	<i>↓</i>	<i>+</i>	
May - 2006	<i>0.70</i>	<i>↓</i>	<i>↓</i>	<i>↓</i>	
June - 2006	<i>0.50</i>	<i>3.31</i>	<i>—</i>	<i>10.87</i>	
July - 2006	<i>0.38</i>	<i>3.31</i>	<i>—</i>	<i>4.76</i>	
August - 2006	<i>0</i>	<i>0</i>	<i>—</i>	<i>0</i>	
September - 2006	<i>0</i>	<i>0</i>	<i>—</i>	<i>0</i>	
TOTAL *	<i>7.76 CFS</i>	<i>13.24 AF</i>	<i>0</i>	<i>32.50 CFS</i>	

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WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: *Shoop Crested weir* If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Trick Jones
Signature

Project Manager
Title

CEDC Fisheries
Reporting Entity

Submitted online
11/7/06
Date

Trick Jones
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

450 gpm = 1 CFS

110403

2001 MARINE DR RM 253
ASTORIA OR 97103

Pod Id	Facility	Appl	Permit	Cert	Claim	Priority	Township	Range	Sctn	Use	Rate	Source	Tributary To
61930		S 59290	S 44782	63289		08/31/1979	7.00N	8.00W	31	AQ	10.0	S FK KLASKANINE R	KLASKANINE R
Pod Id	Facility	Appl	Permit	Cert	Claim	Priority	Township	Range	Sctn	Use	Rate	Source	Tributary To
61930		S 62991	S 46895	63301		10/21/1981	7.00N	8.00W	31	AQ	5.0	S FK KLASKANINE R	KLASKANINE R

Water Year	Unit	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
2005	C	8.61	9.63	9.63	10.39	10.41	10.25	6.99	9.75	10.22	9.72	0.0	0.0
2004	C	5.94	11.86	10.98	9.69	10.85	9.09	12.31	9.27	8.71	6.2	5.54	9.79

Pod Id	Facility	Appl	Permit	Cert	Claim	Priority	Township	Range	Sctn	Use	Rate	Source	Tributary To
61931		R 59289	R 8108	63290		08/31/1979	7.00N	8.00W	31	AQ		S FK KLASKANINE R	KLASKANINE R

Water Year	Unit	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
2005	A	3.31	3.31	3.31	3.31	3.31	3.31	3.31	3.31	3.31	3.31	0.0	0.0
2004	A	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0

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JUN 06 2007

WATER RESOURCES DEPT
SALEM, OREGON

Pod Id	Facility	Appl	Permit	Cert	Claim	Priority	Township	Range	Sctn	Use	Rate	Source	Tributary To
61932		S 65209	S 47875	63307		06/20/1983	7.00N	8.00W	30	AQ	1.5	UNN STR	S FK KLASKANINE R

Water Year	Unit	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
2005	C	0.92	0.94	0.95	1.03	1.02	0.98	0.84	0.74	0.54	0.39	0.16	0.13
2004	C	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05	0.0	0.0	0.0	0.0

10403



Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Clatsop County Economic Development Committee Fisheries Project
Mailing Address: 2001 Marine Dr. Rm. 253
City: ASTORIA State: OR Zip: 97103 Day Phone: 503-325-6452

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>7N</u>	<u>8W</u>	<u>31</u>	<u>NE 1/4</u>	<u>4900</u>	<u>Agriculture</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Agriculture</u>
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Clatsop

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 ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☐ Surface Water (name) South Fork Klaskanine River

Estimated quantity of water needed: 10 CFS ☒ 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 Agriculture

Briefly describe: Establish new diversion point to allow for removal of existing dam & screening structure and replace it with fish friendly approved structures.

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

Receipt for Request for Land Use Information

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

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JUN 06 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10403

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Section 5.55B(3)

☐ Land uses to be served by 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:	
<u>Agriculture</u>		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

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

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JUN 06 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Name: Teri Allen Title: Planner
 Signature: Teri Allen Phone: 503-325-8611 Date: 1-31-07
 Government Entity: Clatsop County Community Development

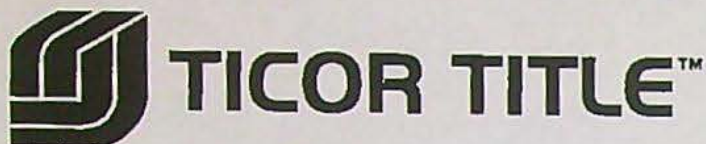
Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use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



630 Bond St.
P.O. Box 780
Astoria OR 97103
(503) 325-2144
(503) 325-0369

October 29, 2007

Clatsop County Fisheries
ATTN: Toni Miethe
2001 Marine Dr., #253
Astoria, OR 97103

Reference: Weyerhaeuser

PROPERTY PROFILE REPORT

Property Profile Report No. 44-23188 Premium: \$95.00

Borrowers Name(s): WEYERHAUSER CORPORATION

Ticor Title has searched its indices and dockets at the Clatsop County Courthouse and as of October 24, 2007 at 8:00 AM we find the following recorded, unsatisfied, state and federal tax liens, mortgages and or deeds of trust against the following described property:

LEGAL DESCRIPTION:

PARCEL NO. 1:

The East half of the Northeast quarter;
The East half of the Southwest quarter; and
The Southeast quarter of Section 30, Township 7 North, Range 8 West, Willamette Meridian, in the County of Clatsop, State of Oregon.

EXCEPTING FROM the Southeast quarter of the Southwest quarter that portion conveyed to Clatsop County by Deed recorded in Book 660, page 338, Clatsop County Records.

PARCEL NO. 2:

The Northeast quarter of the Northwest quarter of Section 31, Township 7 North, Range 8 West, Willamette Meridian, in the County of Clatsop, State of Oregon.

EXCEPTING THEREFROM that portion conveyed to Clatsop County by Deed recorded in Book 660, page 338, Clatsop County Records.

RECORDED ENCUMBRANCES:
NONE

JUDGMENTS:
NONE

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NOV 08 2007

WATER RESOURCES DEPT
SALEM, OREGON

LAST DEED OF RECORD RUNS TO:

Weyerhaeuser Company
Vesting deed from Hanson Natural Resources Company, a Delaware general partnership;
Cavenhan Energy Resources Inc., a Delaware corporation; and Cavenham Forest Industries,
Inc., a Delaware corporation, grantor, to above vestee, recorded May 15, 1996, Book 900, Page
711, Clatsop County, Oregon.

STREET ADDRESS:

TAX PARCEL NO.:

0102 708 03100 ACCT ID# 14704

ASSESSED VALUATION	ASSESSED VALUATION	TOTAL TAXES
LAND	IMPROVEMENTS	2007/08
\$416,037.00	\$0.00	\$5,812.18 Due and Payable

TAX PARCEL NO.:

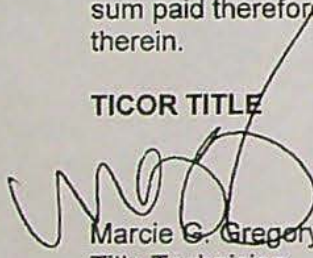
0102 708 04900 ACCT ID# 14729

ASSESSED VALUATION	ASSESSED VALUATION	TOTAL TAXES
LAND	IMPROVEMENTS	2007/08
\$18,187.00	\$0.00	\$247.53 Due and Payable

NOTE: Clatsop County recording charges are \$26.00 for the first page, plus \$5.00 each additional page which includes amounts for the survey corner restoration fee and department of revenue county assessment and taxation fund, when applicable.
Additional fees will be assessed by the County Clerk if a document fails to meet the requirements for recording imposed by ORS Chapter 205.

This is not a title report and liability in connection with this service is expressly limited to the sum paid therefore and the issuing company will not be responsible for errors and omissions therein.

TICOR TITLE

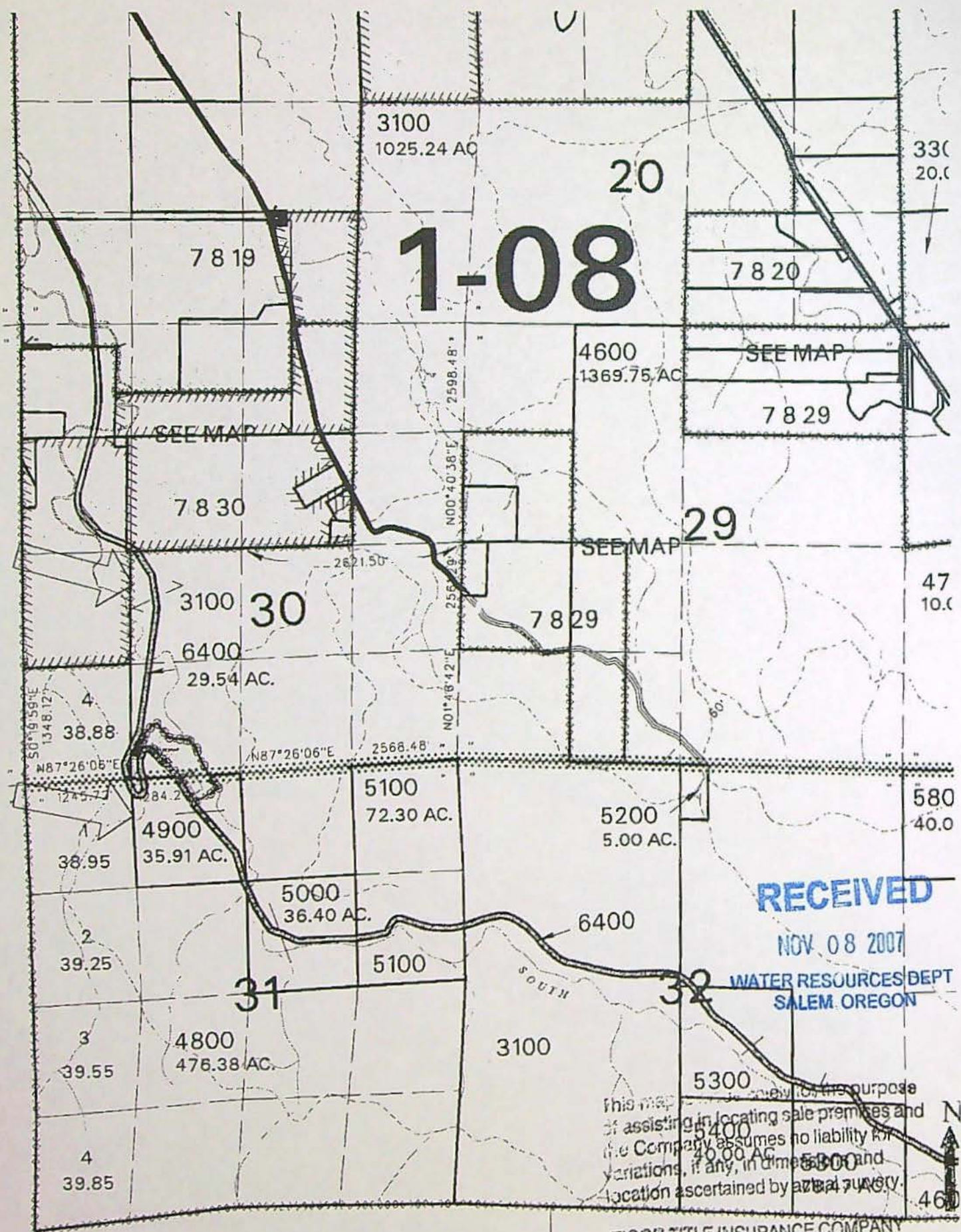

Marcie G. Gregory
Title Technician

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NOV 08 2007

WATER RESOURCES DEPT
SALEM OREGON

1-08



SEE MAP 8 8

T7N R8W WM
CLATSOP COUNTY
Scale 1:24000

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NOV 08 2007

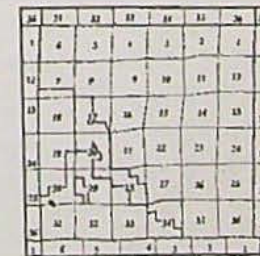
WATER RESOURCES DEPT
SALEM OREGON

Cancelled
Assessors

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This map is made solely for the purpose of
existing in locating sale premises and
The Company assumes no liability for
variations, if any, in dimensions and
location ascertained by actual survey.

TICOR TITLE INSURANCE COMPANY



August 02, 2007



This map is produced for information
purposes only. It is not a legal document.
The data is provided by Clatsop County
and is subject to change without notice.
Clatsop County is not responsible for
any errors or omissions in this map.

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 # 87991

INVOICE # _____

RECEIVED FROM: Clatsop County Oregon

BY: _____

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

APPLICATION	
PERMIT	
TRANSFER	T-10403

TOTAL REC'D \$ 300.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	PCA 47119	\$
0408 OTHER: (IDENTIFY)	Reimbursement Authority	\$ 125.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS		PCA 46111	
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE \$	0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$ 175.00	
WELL CONSTRUCTION		EXAM FEE	
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 (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

PT: 87991

DATED: 6-6-07 BY: Diana Durbin

From: "Dorothy Pedersen" <pedersdi@wrд.state.or.us>
To: <tјones@co.clatsop.or.us>
Date: 4/16/2007 2:06:29 PM
Subject: Transfer application fees

Todd,

The fees needed to be submitted with your application for an expedited water right transfer are:

\$175 for the transfer application (\$350 base fee for one type of change, reduced by 50% because the change is endorsed by ODFW as beneficial to fish)

Plus

\$125 for procuring an estimate for expedited processing through Reimbursement Authority,

For a total of \$300.

Please submit these fees with your application.

Thank you,
Dorothy Pedersen

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrд.state.or.us
503-986-0890

RECEIVED

JUN 06 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

**OREGON STATE UNIVERSITY
SEAFOOD LABORATORY**

2001 MARINE DR., RM 253, ASTORIA, OR 97103 Phone: (503)325-4531 Fax: (503)325-2753

FACSIMILE TRANSMISSION

DATE: Oct 31, 2007

NUMBER OF PAGES (INCLUDING COVER SHEET): 4

TO: Dorothy Peterson

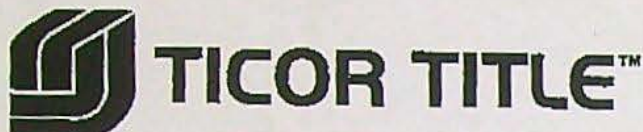
FAX NUMBER: 503-986-0903 PHONE NUMBER: _____

FROM: Clatsop Co. Fisheries

FAX NUMBER: (503)325-2753 PHONE NUMBER: (503)325-4531

RE: Weyerhaeuser Property Profile Report

COMMENTS:



630 Bond St.
P.O. Box 780
Astoria OR 97103
(503) 325-2144
(503) 325-0369

October 29, 2007

Clatsop County Fisheries
ATTN: Toni Miethe
2001 Marine Dr., #253
Astoria, OR 97103

Reference: Weyerhaeuser

PROPERTY PROFILE REPORT

Property Profile Report No. 44-23188 Premium: \$95.00

Borrowers Name(s): WEYERHAUSER CORPORATION

Ticor Title has searched its indices and dockets at the Clatsop County Courthouse and as of October 24, 2007 at 8:00 AM we find the following recorded, unsatisfied, state and federal tax liens, mortgages and or deeds of trust against the following described property:

LEGAL DESCRIPTION:

PARCEL NO. 1:

The East half of the Northeast quarter;
The East half of the Southwest quarter; and
The Southeast quarter of Section 30, Township 7 North, Range 8 West, Willamette Meridian, in the County of Clatsop, State of Oregon.

EXCEPTING FROM the Southeast quarter of the Southwest quarter that portion conveyed to Clatsop County by Deed recorded in Book 660, page 338, Clatsop County Records.

PARCEL NO. 2:

The Northeast quarter of the Northwest quarter of Section 31, Township 7 North, Range 8 West, Willamette Meridian, in the County of Clatsop, State of Oregon.

EXCEPTING THEREFROM that portion conveyed to Clatsop County by Deed recorded in Book 660, page 338, Clatsop County Records.

RECORDED ENCUMBRANCES:
NONE

JUDGMENTS:
NONE

LAST DEED OF RECORD RUNS TO:

Weyerhaeuser Company
Vesting deed from Hanson Natural Resources Company, a Delaware general partnership;
Cavenham Energy Resources Inc., a Delaware corporation; and Cavenham Forest Industries,
Inc., a Delaware corporation, grantor, to above vestee, recorded May 15, 1996, Book 900, Page
711, Clatsop County, Oregon.

STREET ADDRESS:

TAX PARCEL NO.:

0102 708 03100 ACCT ID# 14704

ASSESSED VALUATION	ASSESSED VALUATION	TOTAL TAXES
LAND	IMPROVEMENTS	2007/08
\$416,037.00	\$0.00	\$5,812.18 Due and Payable

TAX PARCEL NO.:

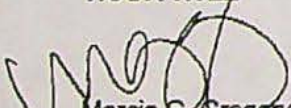
0102 708 04900 ACCT ID# 14729

ASSESSED VALUATION	ASSESSED VALUATION	TOTAL TAXES
LAND	IMPROVEMENTS	2007/08
\$18,187.00	\$0.00	\$247.53 Due and Payable

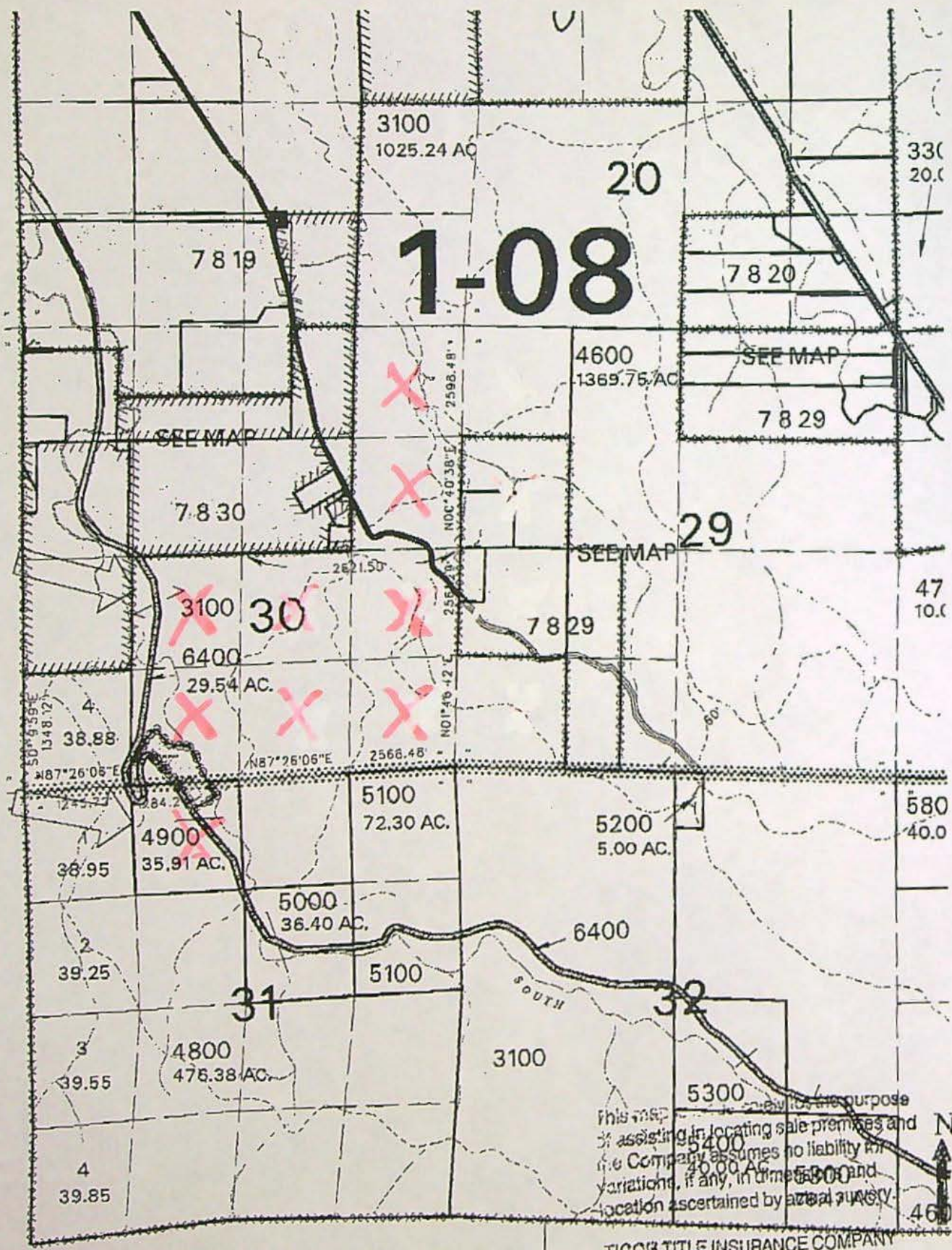
NOTE: Clatsop County recording charges are \$26.00 for the first page, plus \$5.00 each additional page which includes amounts for the survey corner restoration fee and department of revenue county assessment and taxation fund, when applicable.
Additional fees will be assessed by the County Clerk if a document fails to meet the requirements for recording imposed by ORS Chapter 205.

This is not a title report and liability in connection with this service is expressly limited to the sum paid therefore and the issuing company will not be responsible for errors and omissions therein.

TICOR TITLE



Marcie G. Gregory
Title Technician



This map is for the purpose of assisting in locating sale premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by aerial survey.

TICOR TITLE INSURANCE COMPANY

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Wednesday, December 05, 2007 1:15 PM
To: 'Terrance Anthony'
Subject: T-10403 response to dpd

Attachments: 10403-response to dpd.pdf; 10403-ROLI.pdf



10403-response to 10403-ROLI.pdf (2
dpd.pdf (2 M...



MB)

Terry,

Attached is the response to the DPD and the report of ownership and lien information for T-10403. Please check them over and let me know if the applicant needs to send anything more. Then prepare the remaining deliverables and the Final Deliverable Cover sheet.

Thanks,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

7012
6823
10023
10225**Dorothy Pedersen**

From: Dorothy Pedersen
Sent: Tuesday, August 07, 2007 5:04 PM
To: 'Terrance Anthony'
Subject: RE: T10403 DPD docs

Terry,

I have received your initial draft documents for T-10403. Since we need to have the watermaster's review in order to make a determination, I'll hold these documents until we have that review, then let you know what revisions may be needed.

It was a good observation that the application was not signed by the applicant. We will need to request their signature. In this case I think it would be appropriate to ask for a replacement signature page that includes the applicant's signature. It would be good also, in this case, to have documentation from the applicant that clearly authorizes the agent to represent them in matters relating to this transfer application.

I do not agree with you, however, about the ownership and lien information. The Fisheries Project and the water rights involved do not seem to fit the criteria in ORS 540.510(3)(b). We should use the standard language and require a report of ownership and lien information, and consent of landowners.

Have a good evening,
Dorothy

Dorothy Pedersen
(503) 986-0890

From: Terrance Anthony [mailto:conservationstrategies@comcast.net]
Sent: Monday, August 06, 2007 3:38 PM
To: Dorothy Pedersen
Subject: T10403 DPD docs

Dorothy,

Attached are DPD docs for T-10403, minus the watermaster review (which you can add or send back to me for revision).

A couple of minor issues related to mapping came up, but I felt they were not significant enough to require mention with one exception: Finding #9 states that a Lot Book Report will not be required because of the circumstances associated with the use. If after reading this you feel it is inappropriate then by all means revert to the default language requiring the Report.

Also, there is some question about whether the agent has express authorization from the applicant (the County). See cover letter for discussion of this item.

If there is anything else, let me know.

Terry

Terrance Anthony
ph 503.282.1953
fax 503.493.2512
conservationstrategies@comcast.net

Oregon Water Resources Department



FAXED
7/13/07
DLP



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: Terry Anthony

Fax Number: (503) 493-2512

Date: 7/13/07

Pages: 5, including cover sheet

From: Dorothy Pedersen

Phone: 503-986-0 890

Comments:

ODFW review for T-10403 (Clatsop County Economic Development).
Please add to your file.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Wednesday, June 20, 2007 12:37 PM
To: 'Terrance Anthony'
Subject: Templates for T-10403

Attachments: 10403-dpd-template.doc; Contact List.dot; DPD_cov_approve.dot; DPD_cov_reject.dot; PD_cov_fav_nni.dot; PD_cov_unfav_nni.dot; PD_notice.dot; DeficLet.dot



10403-dpd-template.doc (133 KB)



Contact List.dot (26 KB)



DPD_cov_approve.dot (27 KB)



DPD_cov_reject.dot (28 KB)



PD_cov_fav_nni.dot (30 KB)



PD_cov_unfav_nni.dot (30 KB)



PD_notice.dot (29 KB)



DeficLet.dot (27 KB)

Hello Terry,

Attached are templates for the T-10403 project, so you will have the tools you need when (if) you receive a work order. I'm assuming you will be hearing from Salem Opeifa within the next few weeks regarding progress toward a work order.

The links in the DPD template that direct you to supplemental language access a document that is on a website. You should be able to simply double click on the links to take you to the additional language if you need it. If that does not work, let me know and I'll send you the supplemental language document.

Please fill out the review checklist as you do your review and turn it in with the final hard copy deliverables at the end of the project.

Thank you,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890

Shipping Checklist for Reimbursement Authority File

File T- 10403 Applicant: Clatsop County Economic Development
Council Fisheries project

Agent/Contact: Tod Jones

Ship to Contractor: Terrance Anthony

Items included:

- ☒ Copy of front of file folder
- ☒ Reimbursement Authority Estimate Application
- ☒ Transfer Application form
- ☒ Transfer map
- ☒ Evidence of use affidavit
- ☒ Supporting documentation for evidence of use
- ☒ Land-use Information form
- ☐ Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) *need to request in DPD cover letter unless this meets criteria in OAR 690-380 3000(13)(b or c)*
- ☒ Certificate or copy of decree for each right to be transferred
- ☒ Final Proof map or decree map for each right to be transferred
- ☒ Well logs (if change in POA, SW POD-to-GW POA change)
- ☐ Watermaster review (all transfers)
- ☐ ODFW review (if change in POD) *> will be sent later*
- ☒ GW review (if Δ POA, or POD-to-POA change)
- ☐ _____
- ☐ Final Deliverable cover sheet
- ☐ Itemized Estimate sheet for contractor

Additional things to check:

- ☐ All regular application processing fees paid
- ☐ Reimbursement Authority \$125 fee paid for preparing estimate
- ☐ Date of WRD initial Public Notice 6-12-07

Number of sheets copied 28

File contents copied by L Paschke Date 6-13-07

Reimbursement Authority Process Itemized Estimate Sheet for Water Rights Transfer

Application Number T-10403

Name of Applicant: Clatsop County Economic Development Council

Proposed Timeline

6/12/07	Public Notice (start of 30-day comment period).
7/27/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
9/4/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

*For purposes of water right transfers, all deliverables must be in **Microsoft Word** except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.*

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Conservation Strategies

Authorized Representative: _____ Date: _____

T-10403 Review Checklist

Application

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ Only the authorized POD's/POA's and POUs to be transferred are listed.
- ☐ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
- ☐ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| <input type="checkbox"/> application complete | <input type="checkbox"/> map | <input type="checkbox"/> FPS | <input type="checkbox"/> evidence of use | <input type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROLI | <input type="checkbox"/> certificate | <input type="checkbox"/> fees paid | <input type="checkbox"/> well logs | <input type="checkbox"/> plat card |
| <input type="checkbox"/> audit | <input type="checkbox"/> dpd | | | |

Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW

Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury -

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # T-10403

Applicant: Clatsop County Economic Development Council

The following items have been submitted electronically*:

- ☐ Contact List
- ☐ Draft Preliminary Determination (DPD)
- ☐ DPD Cover Letter
- ☐ PD Notice
- ☐ PD Cover Letter
- ☐ Remaining Right Certificates (one for each right that is not entirely affected by the transfer)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- ☐ Marked copy of transfer application
- ☐ (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- ☐ (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- ☐ Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- ☐ Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

☐ Signature of Contractor: _____ Date: _____

For WRD use only:

WRD approval by: _____ Date: _____

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551(2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	<u>T-10403</u>
<input type="checkbox"/>	Certificate Request	_____
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	Clatsop County Economic Development Council Fisheries Project	Tod Jones
Address:	800 Exchange, Suite 300	2001 Marine Drive, Rm 253
	Astoria, OR 97103	Astoria, OR 97103
Phone:	(503) 325-1000	(503) 325-6452
Fax	(503) 325-8325	(503) 325-2753
E-Mail Address:		tjones@co.clatsop.or.us

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates 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:

OWRD - Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.

I certify that I am the (check one) ☐ Applicant ☒ Applicant's Representative ☐ Other (Please specify) _____

Signature: Tod Jones

Name: Tod Jones

OWRD USE ONLY

Contractor Assigned: <u>Terrance Anthony</u>	Total Amount Paid: \$ _____
OWRD Approval: _____	

RECEIVED

JUN 06 2007

Revised: 6/21/2004

WATER RESOURCES DEPT
SALEM, OREGON