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APR 03 2023

Application for a Permit to Use  
**Surface Water**

OWRD



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

**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

NAME		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	E-MAIL *

**Organization**

NAME BOISE CASCADE WOOD PRODUCTS LLC ATTN: RHONDA SMITH		PHONE (541) 437-2207	FAX
ADDRESS 90 S. 21 <sup>ST</sup> STREET			CELL
CITY ELGIN	STATE OR	ZIP 97827	E-MAIL * RHONDA SMITH@BC.COM

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

AGENT / BUSINESS NAME LINDSAY THANE AND ELIZABETH HOWARD SCHWABE, WILLIAMSON & WYATT		PHONE (503) 796-2059 (503) 796-2093	FAX
ADDRESS PACWEST CENTER 1211 SW FIFTH AVENUE, SUITE 1900			CELL
CITY PORTLAND	STATE OR	ZIP 97204	E-MAIL * LTHANE@SCHWABE.COM AND EHOWARD@SCHWABE.COM

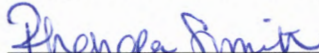

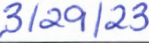
Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

**By my signature below I confirm that I understand:**

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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

Applicant Signature                      Print Name and Title if applicable                      Date

Applicant Signature

Print Name and Title if applicable

Date

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**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

**Legal Description:** You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Process wastewater stored in PWP1 and PWP2 under Permit R-15539 and process wastewater stored in PWP3 under Permit R-15507	Tributary to: NA
TRSQQ of POD: Water will be diverted for irrigation and industrial use at the following POD locations: PWP1: T1N, R39E, WM, Section 16 SW SE; PWP2: T1N, R39E, WM, Section 21 NE NE; PWP3: T1N, R39E, WM, Section 15 SW SW	
Source 2: NA	Tributary to: NA
TRSQQ of POD: NA	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

Permit R-15539 (Application R-88908) and Permit R-15507 (Application R-89139)

**B. Applications to Use Stored Water**

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes.  No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

#### SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqg\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/)

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

#### **Upper Columbia - OAR 690-033-0115 thru -0130**

Is the POD located in an area where the Upper Columbia Rules apply?

- Yes  No  NA The Upper Columbia Rules do not apply because the application proposes to appropriate stored water as authorized by Permits R-15539 and R-15507. Further, the source is stored process wastewater. The source is not stored surface or groundwater. The water stored under Permits R-15539 and R-15507 is delivered first by the City of Elgin to the Boise Cascade facility under the City's municipal water right. Once the water is used in Boise Cascade's industrial processes, it is then pumped into Reservoirs PWP1, PWP2, and PWP3 where it will be stored. This application requests the use of that stored water. This application does not request the storage of any springs, surface water, or runoff.

**If yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia

River Basin Fish and Wildlife Program” adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

**If yes,**

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the POD located in an area where the Lower Columbia rules apply?

Yes  No

**If yes, you are notified** that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

**If yes, provide the following information** (the information must be provided with the application to be considered complete).

Yes  No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

**If yes,** provide a description of the measures to be taken to assure reasonably efficient water use:

The system is designed to recycle precipitation runoff and process water from onsite sources.  
The water use will be measured.

**Statewide - OAR 690-033-0330 thru -0340**

Is the POD located in an area where the Statewide rules apply?

Yes  No  NA The Upper Columbia Rules do not apply because the application proposes to appropriate stored water as authorized by Permits R-15539 and R-15507.

**If yes,** the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will

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recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

**SECTION 5: WATER USE** - revised next page

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):  
 (1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
PWP1, PWP2 and PWP3	Irrigation. This application is intended to make up a deficiency in the duty available under Permit S-55248*	When Necessary for Beneficial Use as Allowed by the Grande Ronde Decree	192.2 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
PWP1, PWP2 and PWP3	Industrial	January 1 to December 31 (Year-Round)	192.2 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af

\*Permit S-55248 authorizes use of up to 90.0 AF of water stored in PWP2 for irrigation of 90.9 acres; this is a duty of approximately 1 AF/acre. The volume of storage developed in PWP2 is 80.5 AF (see Certificate 96082). Permit S-55248 authorizes a duty of 3 AF/acre, therefore the 90.9 acres of authorized irrigation would allow a total duty of 272.7 AF (3 AF/acre x 90.9 acres = 272.7 acres). Subtracting 80.5 AF of the certificated storage in PWP2 from the 272.7 AF leaves a deficiency of 192.2 AF, which is the volume requested above for irrigation use from PWP1, PWP2 and PWP3.

Note that the 192.2 AF of stored water will be used for both irrigation and industrial purposes. The amounts of water used for each purpose will vary each year, depending on weather conditions and the facility operations. Water not consumed in the industrial activities (such as at the log yard) will be returned to the reservoirs for reuse. This type of water reuse is consistent with that allowed by the Department for other industrial operations such as aggregate washing.

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.  
 Primary: 90.9 Acres      Supplemental: NA Acres      Nursery Use: NA Acres  
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): NA  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 192.2

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **NA**
- If the use is **mining**, describe what is being mined and the method(s) of extraction: **NA**

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

For Department Use: App. Number: \_\_\_\_\_

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**SECTION 5: WATER USE**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):  
 (1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
PWP1	Irrigation and Industrial. (This application is intended to make up a deficiency in the duty available under Permit S-55248.*)	Industrial: January 1 to December 31 (Year-Round)  Irrigation: When Necessary for Beneficial Use as Allowed by the Grande Ronde Decree	130.8 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
PWP2	Irrigation and Industrial. (This application is intended to make up a deficiency in the duty available under Permit S-55248.*)	Industrial: January 1 to December 31 (Year-Round)  Irrigation: When Necessary for Beneficial Use as Allowed by the Grande Ronde Decree	80.5 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
PWP3	Industrial	January 1 to December 31 (Year-Round)	9.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af

**\*Permit S-55248 authorizes use of up to 90.0 AF of water stored in PWP2 for irrigation of 90.9 acres; this is a duty of approximately 1 AF/acre. The volume of storage developed in PWP2 is 80.5 AF. (See Certificate 96082). At a duty of 3 AF/acre (which is the duty authorized under Permit S-55248) a total duty of 272.7 AF (3 AF/acre x 90.9 acres = 272.7 acre-feet per acre) could be applied to the 90.9 acres authorized for irrigation. Subtracting 80.5 AF of the certificated storage in PWP2 from the 272.7 AF leaves a deficiency of 192.2 AF. Therefore, this application requests water from PWP1 and PWP2 to make up for that deficiency.**

**Note that 211.3 AF of the 220.3 AF of stored water requested under this application will be used for both irrigation and industrial use purposes. The amounts of water used for each purpose will vary each year, depending on weather conditions and the facility operations. Water not consumed in the industrial activities (such as at the log yard) will be returned to the reservoirs for reuse. This type of water reuse is consistent with that allowed by the Department for other industrial operations such as aggregate washing.**

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 90.9 Acres                      Supplemental: NA Acres                      Nursery Use: NA Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 192.2 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **NA**
- If the use is **mining**, describe what is being mined and the method(s) of extraction: **NA**

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

For Department Use: App. Number \_\_\_\_\_

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What equipment will you use to pump water from your source?

Pump (give horsepower and type): 25-hp, 40-hp and 75-hp centrifugal pumps will be used to move water between PWP1 and PWP3. A 15-hp centrifugal pump and a 66-hp centrifugal pump will be used for delivering irrigation water from PWP1 and PWP2 to the East and West AR fields.

Other means (describe): A 10-inch-diameter pipeline is used to gravity flow water between PWP1 and PWP2.

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

All of the infrastructure proposed for use under this application exists. Recycled process water is also collected from the log yard and directed to the Main Wastewater Pump House. From the pump house, the water is directed to PWP1 or PWP3. Water is also pumped from PWP3 to PWP1 as needed. A pipeline connects PWP2 to PWP1, allowing the water levels in the two ponds to equilibrate by gravity. A 66-hp centrifugal pump will be used at the POD on PWP2 and a 15-hp centrifugal pump will be used at the POD on PWP1 to forward water to the East and West AR fields.

#### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Wheel lines, high-pressure sprinklers and/or hand lines will be used to apply water. Water trucks may also be used to control dust on roadways.

#### C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

The PWP1, PWP2 and PWP3 reservoirs recycle process wastewater to provide for efficient use of water. As indicated in Section 5 above, 192.2 AF of water for irrigation is intended to make up a deficiency in duty under Permit S-55248 (Application S-88730). The facility will conserve water and prevent waste by determining whether it is needed for industrial purposes or irrigation uses, depending on weather conditions and the facility operations.

### SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions: NA Water is being diverted from storage and the stored water is process wastewater.

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

**Note:** If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: NA. No excavation or clearing is needed because the reservoirs and piping systems already exist. The permit is intended to make up for a deficient irrigation duty in Permit S-55248 (Application S-88730) and to allow for industrial use.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: NA. See above comments

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions: Irrigation water will be applied at agronomic rates and in a manner that prevents soil erosion or run-off from the site. Any water not consumed in the industrial activities (such as at the log yard) will be returned to the reservoirs for reuse. This type of water reuse is consistent with that allowed by the Department for other industrial operations such as aggregate washing

List other federal and state permits or contracts to be obtained, if a water right permit is granted.  
NA

### SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: As soon as a permit is issued.
- b) Date construction will be completed: 5 years from the date of permit issuance.
- c) Date beneficial water use will begin: 5 years from the date of permit issuance.

### SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name NA	Address	
City	State	Zip

### SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (*Attach additional sheets if necessary*).

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# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**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 groundwater registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

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### For Local Government Use Only

Attachment 2: Land Use Information Form

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 17.32.020

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

\_\_\_\_\_

NAME <u>Hilary Wilhelm</u>	TITLE: <u>Public Safety Director</u>
SIGNATURE <u>Hilary Wilhelm</u>	PHONE: <u>541-437-2253</u>
GOVERNMENT ENTITY <u>City of Elgin</u>	DATE: <u>3/15/23</u>

**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: \_\_\_\_\_

# Land Use Information Form



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

**Applicant**

NAME BOISE CASCADE WOOD PRODUCTS LLC    ATTN: RHONDA SMITH			PHONE (HM)	
PHONE (WK) (541) 437-2207		CELL		FAX
ADDRESS 90 S. 21 <sup>ST</sup> STREET				
CITY ELGIN	STATE OR	ZIP 97827	E-MAIL* RHONDASMITH@BC.COM	

**A. Land and Location**

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
See Attached List						<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, and/or used or developed:

City of Elgin  
 Union County

**B. Description of Proposed Use**

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water     Water Right Transfer     Permit Amendment or Groundwater Registration Modification
- Limited Water Use License     Allocation of Conserved Water     Exchange of Water

Source of water:  Reservoir/Pond     Groundwater     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 192.2  cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for \_\_\_\_\_ household(s)  
 Municipal     Quasi-Municipal     Instream     Other \_\_\_\_\_

Briefly describe:

Process wastewater stored in three onsite reservoirs (designated PWP1, PWP2 and PWP3) will be used for irrigation and industrial purposes on the property.



**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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ATTACHMENT TO:

Oregon Water Resources Department

**Land Use Information Form**

Applicant Name: Boise Cascade Wood Products LLC

**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	¼ ¼	Tax Lot #	Plan designation	Water to be:	Proposed Land Use:
1 N	39 E	15	NW SW	1100		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	15	SW SW	400		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	15	SE SW	400		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	16	SW NE	1000		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	16	SE NE	1000		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	16	SE ¼	1000		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	21	NE ¼	4703		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	22	NW ¼	4703		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change

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 OWRD

# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**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 groundwater registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

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Attachment 2: Land Use Information Form

# Land Use Information Form



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

**Applicant**

NAME BOISE CASCADE WOOD PRODUCTS LLC    ATTN: RHONDA SMITH			PHONE (HM)		
PHONE (WK) (541) 437-2207		CELL		FAX	
ADDRESS 90 S. 21 <sup>ST</sup> STREET					
CITY ELGIN		STATE OR	ZIP 97827	E-MAIL* RHONDASMITH@BC.COM	

**A. Land and Location**

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
See Attached List						<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, and/or used or developed:

City of Elgin  
Union County

**B. Description of Proposed Use**

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water     Water Right Transfer     Permit Amendment or Groundwater Registration Modification
- Limited Water Use License     Allocation of Conserved Water     Exchange of Water

Source of water:  Reservoir/Pond     Groundwater     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 192.2  cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for \_\_\_\_\_ household(s)  
 Municipal     Quasi-Municipal     Instream     Other \_\_\_\_\_

Briefly describe:

Process wastewater stored in three onsite reservoirs (designated PWP1, PWP2 and PWP3) will be used for irrigation and industrial purposes on the property.



**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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### For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
Ministerial UCZPSD SECTION 24.01 →		<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME <i>Scott Hartell</i>	TITLE: <i>Director</i>
SIGNATURE <i>Scott Hartell</i>	PHONE: <i>541-963-1014</i>
GOVERNMENT ENTITY <i>Union County</i>	DATE: <i>3-16-23</i>

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

ATTACHMENT TO:

Oregon Water Resources Department

**Land Use Information Form**

Applicant Name: Boise Cascade Wood Products LLC

**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	¼ ¼	Tax Lot #	Plan designation	Water to be:	Proposed Land Use:
1 N	39 E	15	NW SW	1100		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	15	SW SW	400		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	15	SE SW	400		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	16	SW NE	1000		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	16	SE NE	1000		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	16	SE ¼	1000		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	21	NE ¼	4703		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
1 N	39 E	22	NW ¼	4703		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change

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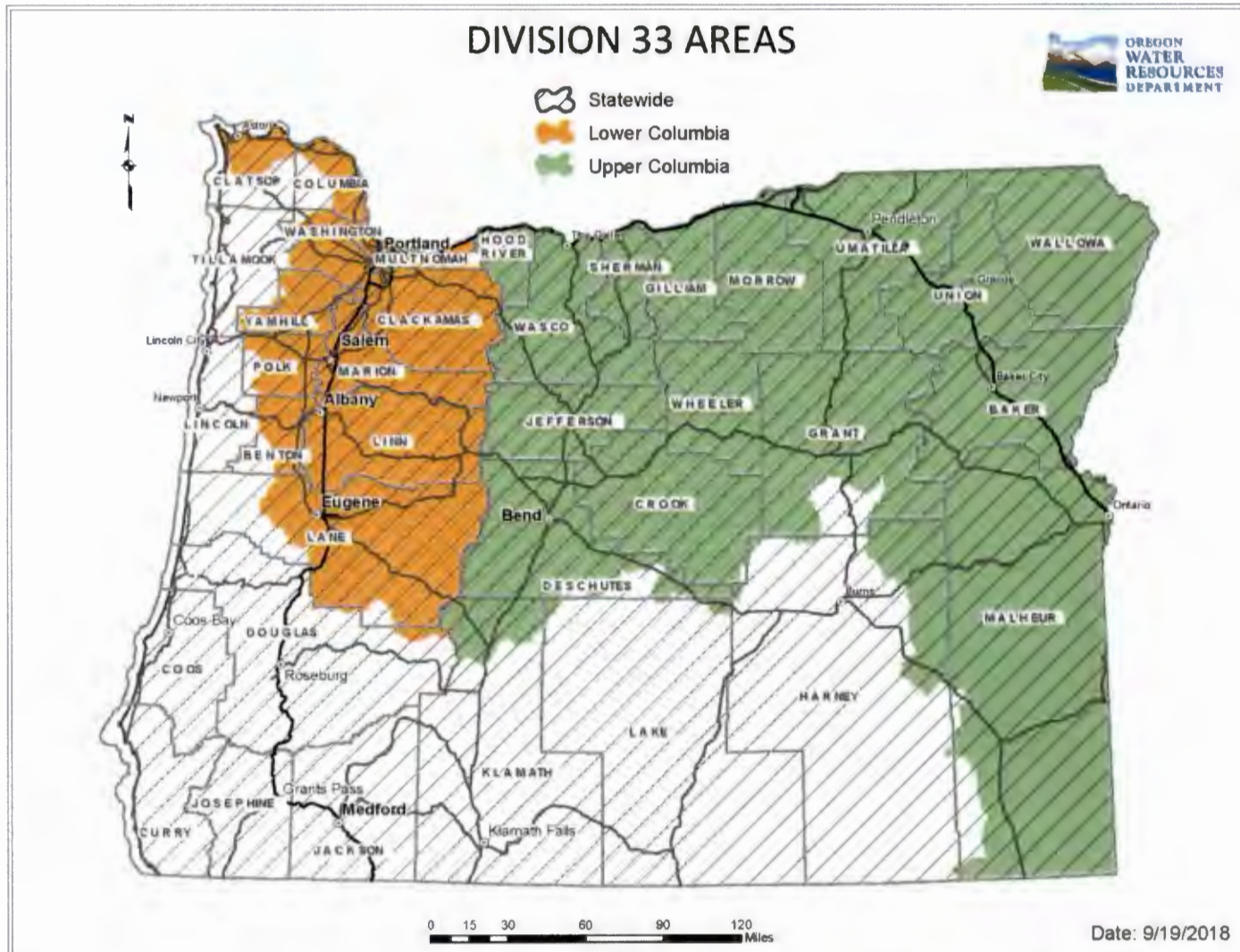
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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: [https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

72-

After recording return to:  
Tony J. Steenkolk, Esq.  
Legal Department -- Real Estate  
Boise Cascade, L.L.C.  
P.O. Box 50  
Boise, ID 83728-0001

This space reserved for recorder's use.

20045918

EOT 04-15377

Until a change is requested, all tax statements shall be sent to Grantee at the following address:  
Boise Building Solutions Manufacturing, L.L.C.  
c/o Boise Cascade, L.L.C.  
Property Tax Department  
P.O. Box 50  
Boise, ID 83728-0001

GRANTOR: Boise Cascade Corporation

GRANTEE: Boise Building Solutions Manufacturing, L.L.C.

**STATUTORY SPECIAL WARRANTY DEED**

(90 South 21<sup>st</sup> Street)  
(Elgin, Union County, Oregon)  
(Site No. 3-1-1-2)

**BOISE CASCADE CORPORATION**, a Delaware corporation, having an address of 1111 West Jefferson Street, Boise, Idaho 83728 ("Grantor"), conveys and specially warrants to **BOISE BUILDING SOLUTIONS MANUFACTURING, L.L.C.**, a Delaware limited liability company, having an address of 1111 West Jefferson Street, Boise, Idaho 83728 ("Grantee"), the real property in Union County, Oregon, more particularly described on Exhibit A attached hereto and by this reference incorporated herein (the "Real Property"), free of encumbrances except as specifically set forth herein.

**TOGETHER** with all right, title and interest, if any, of Grantor in and to any streets and roads abutting the Real Property to the center lines thereof, and all access rights of Grantor in and to the Property (collectively, the "Access Rights"); and

**TOGETHER** with the hereditaments and appurtenances and all the estate and rights of Grantor in and to the Real Property, including, without limitation, timber rights, mineral rights and water rights (collectively, the "Property Rights"), and, together with the Real Property and Access Rights, the "Property";

**SUBJECT** only to taxes, assessments and other governmental charges not yet delinquent, and the following exceptions, none of which, individually or in the aggregate, materially impair the current use (or materially detract from the value as currently used) of the Property: (i)

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First American Title Order # NCS-86085 CH1  
(878)

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mechanic's, workmen's, repairmen's, warehousemen's, carriers, or other like liens arising or incurred in the ordinary course of business for amounts which are not yet delinquent; (ii) easements, quasi-easements, licenses, covenants, rights-of-way and other similar restrictions, including any other agreements, conditions, restrictions or other matters which would be shown by a current title report or other similar report or listing; (iii) any conditions that may be shown by a current survey, title report or physical inspection; and (iv) zoning, building and other similar restrictions (collectively, the "Permitted Exceptions").

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this transfer is \$849,100.00.

(Signatures on Next Page)

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DATED: October 29, 2004

**BOISE CASCADE CORPORATION**, a  
Delaware corporation

By: *A. B. Groce*

Name: A. B. Groce

Its: Senior Vice President

WITNESS:

By: *Frances M. Vouleis*

Name: Frances M. Vouleis

Corporate Seal



By: *Melody Whigam*

Name: Melody Whigam

ATTEST:

By: *J.S. Munson*

Name: J.S. Munson

Its: Assistant Secretary

-3-

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STATE OF IDAHO )  
 ) ss.  
COUNTY OF ADA )

On this ~~29th~~ day of October 2004, before me, the undersigned, a notary public in and for said state, personally appeared A. B. Groce and J.S. Munson, known to me to be the Senior Vice President and Assistant Secretary, respectively, of Boise Cascade Corporation, a Delaware corporation, that executed the above instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Deborah L. Taylor  
NOTARY PUBLIC FOR IDAHO  
Residing at: Boise, Idaho  
My Commission Expires: 11-1-2010

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**EXHIBIT A**  
**LEGAL DESCRIPTION OF REAL PROPERTY**

90 South 21<sup>st</sup> Street  
Elgin, Union County, Oregon  
NCS86085  
Site No. 3-1-1-2

**Legal Description for PARCEL A:**

In SOMMER'S ADDITION to Elgin, in Union County, Oregon, according to the recorded plat of said addition:

All of Block Three (3), all of Block Four (4) and all of Block Nine (9), TOGETHER WITH those portions of vacated Alder, Birch and South 20<sup>th</sup> Streets accruing thereto by reason of vacation by City Ordinance (recorded July 5, 1975, Microfilm Document No.44994); ALSO, the east half of vacated South 20<sup>th</sup> Street lying between Blocks Eight and Nine of said Sommer's Addition; ALSO any portion of vacated 21<sup>st</sup> Avenue accruing to this property by reason of vacation by City Ordinance (recorded November 21, 2000, Microfilm Document No.20005038); EXCEPTING from the above the north 50 feet of the west 50 feet of Lot One in said Block Three; ALSO EXCEPTING THEREFROM the east half of Lot Two in said Block Three; and lastly, EXCEPTING THEREFROM the east 100 feet of the south 130 feet of Lot Four in said Block Three.

Tax Parcel No.12993  
Tax Parcel No.12996  
Tax Parcel 706607

**Legal Description for PARCEL B:**

Commencing at the northwest corner of the southwest quarter of the southwest quarter of Section 15, in Township 1 North, Range 39 East of the Willamette Meridian, in Union County, Oregon; thence East 116 rods, more or less, to the west line of land conveyed to Heppner Lumber Company by Deed recorded in Book 134, at page 335, Deed Records of Union County, Oregon; thence South along the west line of land conveyed to said Heppner Lumber Company, and said line extended southerly, 24 rods, more or less to the north side of the county road; thence southwesterly following the route of said county road on the North side thereof to a point 39 rods south of the point of beginning; thence North 39 rods to the point of beginning.

Tax Parcel No.12433

EXHIBIT A  
Page 1

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Page 2 of Exhibit "A"

Legal Description for PARCEL C:

All that portion of the following described tract, to-wit:

Commencing at the southeast corner of the northeast quarter of the southwest quarter of Section 15, Township 1 North, Range 39 East of the Willamette Meridian, Union County, Oregon; thence South 212 feet to the north line of the planer property conveyed by Heppner Lumber Company to Valsetz Lumber Company, recorded in Book 135 at page 130 of Deed Records of Union County, Oregon and dated June 30, 1955; running thence West along the north line of said planer property 197.8 feet, more or less, to the southeast corner of the H. F. Reed mill property conveyed by Heppner Lumber Company to the Valsetz Lumber Company, by Deed listed and described above; running thence North 0°34' East 420 feet 8.5 inches to the southwest corner of the John W. Schmittle property, recorded in Book 109 at page 30, Deed Records of Union County, Oregon, and dated December 1, 1944; running thence East along the south line of the Schmittle property 208 feet 8.5 inches more or less to the east subdivision line of the northeast quarter of the southwest quarter of said Section 15; running thence South 208 feet 8.5 inches to the point of beginning, all lying and being in Union County and State of Oregon,

Lying and being southerly from a line 15 feet northerly of a line described as follows, which runs in an easterly and westerly direction across the above described tract:

Beginning at a point in the center line of the Oregon-Washington Railroad & Navigation Company's Joseph Branch main tract, as now constructed and operated by Union Pacific Railroad Company, Lessee, said point being 163.9 feet west from the south quarter corner of said Section 15 and identified as Railroad Survey Station 1046+31.4;

Thence, northerly along said center line forming an angle of 111°31'30" from left to right, a distance of 1,592.7 feet to a head-block at Railroad Survey Station 1062+24.1;

Thence, southwesterly along a No.10 turnout to the right having a frog angle of 5°43'30", a distance of 90.05 feet to a point;

Thence, westerly along a tangent curve to the right having a radius of 383.065 feet, a distance of 412.27 feet to a point;

Thence, Westerly along a straight line tangent to the end of the last above described curve, a distance of 42.58 feet to a point on the west line of South 12<sup>th</sup> Avenue of the City of Elgin, which is the true point of beginning of this description;

Thence, continuing westerly along the last above described course, a distance of 204.54 feet to a point;

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Continued....

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Thence, westerly along a tangent curve to the left, having a radius of 1,528.16 feet, a distance of 20.76 feet to a point on the easterly property line of the Elgin School District, which is the end of this description.

Being approximately the southerly 115 feet of the tract of land first above described;

EXCEPTING THEREFROM the following:

Beginning at the intersection of the west line of South Elgin and the centerline of Elm Street; thence south to the south line of Elm Street; thence west 24 feet, more or less; thence north 24.5 feet; thence east to the point of beginning.

Tax Parcel No.12437

Legal Description for PARCEL D:

All of Lots numbered Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), and Twenty (20), in Block numbered Four (4) in SOUTH ELGIN, an addition to the City of Elgin, Union County, Oregon, according to the recorded plat thereof;

ALSO, all that portion of lots numbered One (1), Two (2) and Three (3) of Block numbered Four (4) in SOUTH ELGIN, an addition to the City of Elgin, Union County, Oregon, according to the recorded plat thereof, included within a strip of land 45 feet in width, being 15 feet in width on the south side and 30 feet in width on the north side of the hereinafter described center line, to-wit:

Beginning at a point in the center line of the Oregon-Washington Railroad & Navigation Company's Joseph Branch main track, as now constructed and operated by Union Pacific Railroad Company, Lessee, said point being 163.9 feet West from the South quarter corner of Section 15, in Township 1 North, Range 39 East of the Willamette Meridian, and identified as Railroad Survey Station 1046+31.4; thence Northerly along said center line forming an angle of  $111^{\circ} 31' 30''$  from left to right, a distance of 1592.7 feet to a headblock at Railroad Survey Station 1062+24.1; thence Southwesterly along a No.10 turnout to the right having a frog angle of  $5^{\circ} 43' 30''$  a distance of 90.05 feet to a point; thence Westerly along a tangent curve to the right having a radius of 383.065 feet, a distance of 169.75 feet to a point which is the true point of beginning of this description of said center line; thence continuing westerly along the last above described curve, a distance of 242.52 feet to a point which is the end of the description of said center line.

Tax Parcel No.13275

EXHIBIT A  
Page 3

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Legal Description for PARCEL B:

That portion of the southeast quarter of northeast quarter of Section 16, Township 1 North, Range 39 East of the Willamette Meridian, Union County, Oregon, which lies southerly of State Highway No.204 (Weston-Elgin Highway).

ALSO, all of SOMMER'S SECOND ADDITION to Elgin, Union County, Oregon, TOGETHER WITH the portions of streets and avenues platted in said addition, which have accrued thereto by reason of vacation, situate in the northeast quarter of southeast quarter of Section 16, Township 1 North, Range 39 East of the Willamette Meridian;

EXCEPT the parcel of land 200 feet in diameter whose center is an existing well, said well being 4,226.46 feet, north 68°02'03" West from the south quarter corner of Section 15, Township 1 North, Range 39 East of the Willamette Meridian.

ALSO, that portion of the southeast quarter of southeast quarter of Section 16, Township 1 North, Range 39 East of the Willamette Meridian which lies northerly of the road known as Pumpkin Ridge-Elgin County Road No.37.

ALSO, the southwest quarter of the southeast quarter and the southeast quarter of the southwest quarter and the northwest quarter of the southeast quarter of Section 16, Township 1 North, Range 39 East of the Willamette Meridian, Union County, Oregon.

ALSO, that portion of the southwest quarter of the northeast quarter of Section 16, Township 1 North, Range 39 East of the Willamette Meridian, Union County, Oregon, which lies southerly of State Highway No.204 (Weston-Elgin Highway).

Tax Parcel No.13313  
Tax Parcel No.13335  
Tax Parcel No.13336  
Tax Parcel No.13314  
Tax Parcel No.13333  
Tax Parcel No.13334  
Tax Parcel No.14232  
Tax Parcel No.14227  
Tax Parcel No.14228

EXHIBIT A  
Page 4

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Legal Description for PARCEL F:

IN TOWNSHIP 1 NORTH, RANGE 39 EAST OF THE WILLAMETTE MERIDIAN,  
UNION COUNTY, OREGON:

Section 16:

The west half of the southwest quarter (W1/2 SW1/4);

Section 21:

The East half of the Northeast quarter (E1/2 NE1/4);

The west half of northeast quarter, the east half of the northwest  
quarter of Section 21.

EXCEPTING THEREFROM: Beginning at a point which bears 30 feet west  
of the southeast corner of southwest quarter of northeast quarter  
(SW1/4 NE1/4) of Section 21, Township 1 North, Range 39 East of the  
Willamette Meridian, said corner being on the centerline of the  
Hallgarth County Road.

Thence, West 1,015.4 feet to a point on the south line of the  
southwest quarter of northeast quarter of Section 21; thence north  
429 feet to a point; thence east 1,015.4 feet to a point on the  
west edge of said Hallgarth Road right-of-way; thence southerly  
along said right-of-way a distance of 429 feet to the point of  
beginning.

ALSO EXCEPTING: Beginning at a point which is 5,879.53 feet South  
84°41'24" West from the south quarter corner of Section 15,  
Township 1 North, Range 39 East of the Willamette Meridian; thence  
North 80°40'11" West, 300 feet; thence South 9°19'49" West, 300  
feet; thence South 80°40'11" East, 300 feet; thence North 9°19'49"  
East, 300 feet to the point of beginning.

Section 22:

That portion of the northwest quarter (NW1/4), more particularly  
described as follows, to-wit:

Beginning at the northwest corner of said Section 22 and thence  
running South 30° 50' East 1,127.94 feet; thence North 89° 37' East  
1,452.66 feet, more or less, to the west line of the right of way  
of the Joseph Branch of the O.W.R.R. & N. Company Railroad; thence  
Southwesterly along the west line of said railroad right of way to  
its intersection with the south line of the northwest quarter of  
said section; thence West to the southwest corner of the northwest  
quarter of said section; thence North on the west line of said  
section 2640 feet, more or less, to the point of beginning.

Tax Parcel No.14017

Tax Parcel No.11360 - Affects parcel

EXHIBIT A  
Page 5

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Legal Description for PARCEL G:

Lots numbered Six (6) and Nine (9) in ELGIN INDUSTRIAL PARK, a subdivision of a portion of the Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southeast quarter of Section 15, and the Northwest quarter of the Northeast quarter of Section 22, Township 1 North, Range 39 East of the Willamette Meridian, according to the official plat thereof, filed in Plat Cabinet No. B570 and 571; Microfilm No.20002239, Records of Union County, Oregon.

Tax Parcels: 17517  
12438

ALSO, a parcel of land in the city of Elgin, in Section 15, township 1 North, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as:

Beginning at the intersection of the west line of South Elgin and the centerline of Elm Street; thence south to the south line of Elm Street; thence west 24 feet; thence north 24.5 feet; thence east to the point of beginning.

Tax Parcel: 17506

Legal Description for PARCEL H:

Commencing at the southwest corner of the northwest quarter of Section 16, in Township 1 North, Range 39 East of the Willamette Meridian, in Union County, Oregon; thence, East along the south line of said northwest quarter, a distance of 86 rods; thence, North to the south right-of-way line of the Weston-Elgin Highway No.203; thence, Westerly along said south right-of-way to the west line of Section 16; thence, South on said Section line to the point of beginning.

Tax Parcel: 14220

EXHIBIT A  
Page 6

{\BO00SF\LE2\DATA\ROOM\staging\LEGAL\LEGAL:00164445}

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APR 03 2013  
OWRD

STATE OF OREGON

County of Union

} SS

I certify that this instrument was received and recorded in the book of records of said county.

R. NELLIE BOGUE HIBBERT,  
Union County Clerk

by: *B Nelson* Deputy.

DOC#: 20045918  
RCPT: 70328 72.00  
11/05/2004 3:40 PM  
REFUND: .00

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APR 03 2023

OWRD

31-

04-15377

After recording return to:

Tony J. Steenkolk, Esq.  
Legal Department -- Real Estate  
Boise Cascade, L.L.C.  
P.O. Box 50  
Boise, ID 83728-0001

This space reserved for recorder's use.

20051802

Until a change is requested, all tax statements shall be sent to Grantee at the following address:

Boise Building Solutions Manufacturing, L.L.C.  
c/o Boise Cascade, L.L.C.  
Property Tax Department  
P.O. Box 50  
Boise, ID 83728-0001

**GRANTOR: OfficeMax Incorporated, successor-in-interest to Boise Cascade Corporation**

**GRANTEE: Boise Building Solutions Manufacturing, L.L.C.**

**CORRECTIVE DEED**

(90 South 21<sup>st</sup> Street)  
(Elgin, Union County, Oregon)  
(Site No. 3-1-1-2)

This Corrective Deed is executed this 12th day of April 2005, by and between **OFFICEMAX INCORPORATED**, a Delaware corporation, successor-in-interest to **BOISE CASCADE CORPORATION**, having an address of 1111 West Jefferson Street, Boise, Idaho 83728 ("Grantor"), and **BOISE BUILDING SOLUTIONS MANUFACTURING, L.L.C.**, a Delaware limited liability company, having an address of 1111 West Jefferson Street, Boise, Idaho 83728 ("Grantee"), to correct the legal description of Parcel B described in that Statutory Special Warranty Deed between Grantor and Grantee, dated October 29, 2004, and recorded November 5, 2004, as Instrument No. 20045918, Records of Union County, Oregon, more particularly described on Exhibit A attached hereto and by this reference incorporated herein.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this transfer is \$-0-.

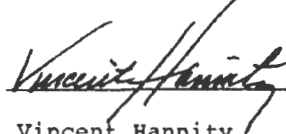
{W:\WDOX\ADMIN\299004.0004.00221803.}

RECEIVED

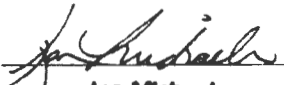
APR 03 2023


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**OFFICEMAX INCORPORATED, a**  
Delaware corporation, successor-in-interest  
to **BOISE CASCADE CORPORATION**

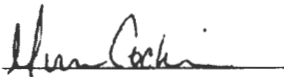
OK  
By:   
Name: Vincent Hannity  
Its: Vice President

WITNESS:

By:   
Name: Jan Michaelson

By:   
Name: MARIA F. DAVIES

ATTEST:

By:   
Name: Monica Cokerille  
Its: Assistant Secretary

RECEIVED

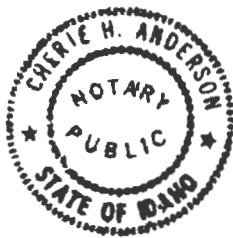
APR 03 2023

OWRD

STATE OF IDAHO )  
 ) ss.  
COUNTY OF ADA )

On this 12<sup>th</sup> day of April 2005, before me, the undersigned, a notary public in and for said state, personally appeared Vincent Hannity and Mónica Cockerille, known to me to be the Vice President and Assistant Secretary, respectively, of OfficeMax Incorporated, a Delaware corporation, successor-in-interest to Boise Cascade Corporation, that executed the above instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



*Cherie H. Anderson*

NOTARY PUBLIC FOR IDAHO

Residing at: Meridian, Idaho

My Commission Expires: 8/5/09

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**EXHIBIT A**  
**LEGAL DESCRIPTION**

90 South 21st Street  
Elgin, Union County, Oregon  
NCS86085  
Site No. 3-1-1-2

**PARCEL B:**

Commencing at the northwest corner of the southwest quarter of the southwest quarter of Section 15, in Township 1 North, Range 39 East of the Willamette Meridian, in Union County, Oregon; thence East 1,914 feet, more or less, to the west line of land conveyed to School District No. 23 of Union County, Oregon, by Deed recorded in Book 138, at page 646, in records of Union County, Oregon; thence South 0°01' East along the west line of said School District No. 23 land, 300 feet, more or less, to the southwest corner of said School District No. 23 land; thence South 89°49' West 30 feet to the southwest corner of the land conveyed to the Heppner Lumber Company, by Deed recorded in Book 134, at page 444, Union County records; thence South 0°01' East, along the southerly extension of the west line of said Heppner Lumber Company land 96 feet, more or less, to the north side of the county road, thence southwesterly following the route of said county road on the North side thereof to a point 643.5 feet south of the point of beginning; thence North 643.5 feet to the point of beginning.

Tax Parcel No. 12433

STATE OF OREGON

County of Union

} SS

I certify that this instrument was received and recorded in the book of records of said county.

R. NELLIE BOGUE HIBBERT,  
Union County Clerk

by:  Deputy.

DOC#: 20051802  
RCPT: 73624 37.00  
4/15/2005 2:35 PM  
REFUND: .00

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(W:\WDOX\ADMIN\299004:0004.00221803.)

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APR 03 2005  
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**Boise Cascade Wood Products, LLC**  
**Inland Region**  
**90 S. 21<sup>st</sup> St.**  
**Elgin, Oregon 97827**



March 29, 2023

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

**RE: Boise Cascade Wood Products, LLC Application for a Permit to Use Surface Water**

Dear Water Resources Department:

The Department received an application for a permit to use surface water on March 20, 2023. The application was returned due to application completeness, see attached letter dated March 21, 2023.

Enclosed is a revised application, updating Section 5: Water Use and updated map calling out the reference corner.

Should you have any questions, please contact me at 541-437-2207.

Sincerely,

Rhonda Smith  
Environmental Engineer

**Attachments (3):** Application return letter 3/21/2023 - OWRD  
Application Fee Check  
Application to for Permit to Use Surface Water

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# Oregon

Tina Kotek, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

3/21/2023

Boise Cascade Wood Products LLC  
Attn: Rhonda Smith  
90 S. 21<sup>st</sup> Street  
Elgin, OR 97827

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APR 03 2023

OWRD

Dear Applicant:

The Water Resources Department has received your application for a permit to use surface water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules 690-310-0040 and 0050.

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the reverse side of this letter.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801 or 503-986-0810.

Sincerely,  
Nick Reece

Water Rights Customer Service

Cc: OWRD Fiscal (0000019642)

Enclosures: Application, Check

*This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.*

**Application Completeness | Summary of Needed Items:**

**Section 5: Water Use**

Amount of water from each source in GPM, CFS, or AF.

**\*\* The amount requested from each source will need to be listed individually, not as a total amount\*\***

A **Map** that includes the following items:

Reference corner on map.

**\*\*Please call out the reference corner on the map\*\***

## Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

### Include this checklist with the application

**Check that each of the following items is included.** The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

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APR 03 2023  
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**Include the following additional items:**

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 2,282.20  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- Map that includes the following items:
  - Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference corner on map
  - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
  - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

# Water-Use Permit Application Processing

## 1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

## 2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

## 3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at [www.oregon.gov/owrd](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

## 4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

## 5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

## 6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate