

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



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

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

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

A separate form shall be completed for each transfer.

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

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

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

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

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

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

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

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

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

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

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

1. File Information

APPLICATION #

T-13533

Revised 7/1/2021

Change in Place of Use Only - Page 1 of 9

RECEIVED

OCT 16 2023

OWRD

YES

RECEIVED

SEP 08 2023

**OWRD
SALEM, OREGON**

WR

2. Property Owner (current owner information)

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

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

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

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

4. Date of Site Inspection:

06/23/2023

5. Person(s) interviewed and description of their association with the project:

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

6. County:

Lincoln

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

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

RECEIVED**OCT 16 2023****OWRD****RECEIVED****SEP 08 2023****OWRD
SALEM, OREGON**

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



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

Transfer Holder of Record Signature or Acknowledgement

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

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

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

RECEIVED

OCT 16 2023

OWRD

RECEIVED

SEP 01 2023

OWRD

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

FO #5 - "A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the department within one year after the deadline for completion of the change and full beneficial use of the water."

This Claim of Beneficial Use report satisfies the condition.

SECTION 5

ATTACHMENTS

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

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

RECEIVED
OCT 16 2023
OWRD

RECEIVED
SEP 08 2023
OWRD
SALEM, OREGON

SECTION 2

SIGNATURES

CWRE Statement, Seal and Signature

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



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

Transfer Holder of Record Signature or Acknowledgement

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

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

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

RECEIVED
OCT 16 2023
OWRD

RECEIVED
SEP 08 2023
OWRD
SALEM, OREGON

SECTION 3

EXTENT OF CHANGE COMPLETED

1. Claim Summary:

If Irrigation or Nursery Use:

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

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

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

2. Variations:

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

NO

If yes, describe below.

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

NA

RECEIVED
OCT 16 2023
OWRD

RECEIVED
SEP 08 2023
OWRD
SALEM, OREGON

RECEIVED

SEP 08 2023

OWRD
SALEM, OREGONSECTION 4
CONDITIONS

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

1. Time Limits:

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

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

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

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

NO

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

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

VOLUME	PAGE	DATE EXTENDED TO
NA		

3. Measurement Conditions:

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

YES

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

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

b. Has a meter been installed?

YES

c. Meter Information

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

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

RECEIVED

OCT 16 2023

4. Other conditions required by the transfer final order:

a. Other conditions?

YES

OWRD

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

FO #5 - "A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the department within one year after the deadline for completion of the change and full beneficial use of the water."

This Claim of Beneficial Use report satisfies the condition.

SECTION 5 ATTACHMENTS

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

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

RECEIVED
SEP 08 2023
OWRD
SALEM, OREGON

RECEIVED
OCT 16 2023
OWRD

RECEIVED

SEP 08 2023

OWRD
SALEM, OREGON

SECTION 6

CLAIM OF BENEFICIAL USE MAP

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

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

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

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

RECEIVED

OCT 16 2023

OWRD

Map Checklist

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

RECEIVED

SEP 08 2023

OWRD
SALEM, OREGON

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

RECEIVED

OCT 16 2023

OWRD

Water Pumping Records for 2022

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

RECEIVED

OCT 16 2023

OWRD

RECEIVED

SEP 08 2023

OWRD
SALEM, OREGON

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

Kelly Joly

Sept. 28, 2022

LETTER OF TRANSMITTAL

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

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

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

THESE ITEMS ARE TRANSMITTED AS CHECKED BELOW OR OTHERWISE NOTED

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

REMARKS: Corie,

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

cc: Kelly Foley, via email

RECEIVED
OCT 16 2023
OWRD

RECEIVED
SEP 08 2023
OWRD
SALEM, OREGON