

ASSIGNED
 Name THE LONG-BELL LUMBER COMPANY
 By Gardiner Division
 Address Gardiner, Oregon

Application No. F-30073
 Permit No. R-2241
 Certificate No. 79196 79196

FEES PAID		
Date	Amount	Receipt No.
6-20-55	31.00	1017
7-1-60	54.35	26117
7/1/60	9.00	OT-1
	B. P. Fee	
	\$1 Cert. Fee	

Stream Index, Page No. 18-6F

See - 29820
 R-30179
 DAM FILE: S-47
 MAP FILE: E-7-3

Date filed June 20, 1955
 Priority June 20, 1955
 Action suspended until _____

FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS

Returned to applicant _____
 Date of approval June 30, 1960

Date	To Whom	Address	Volume	Page
12-14-56	International Paper Co Gardiner Paper Mill	Gardiner, Oregon P.O. Box 1649 Mobile-Alabama P.O. Box 854 Gardiner, OR.		122-20

CONSTRUCTION
 Date for beginning June 30, 1961
 Date for completion October 1, 1963
 Extended to 10-1-64

REMARKS

Siltcoos Lake Reservoir and storage from Siltcoos River of 15,070 a.f. for manufacturing.

Date for application of water _____
 Extended to _____

SEP 19 1962 CARD FOR 5
 OCT 16 1964 CARD FOR 5

See Special Order Vol. 10 pg 403
 " " " Vol. 15 pg 98
 " " " Vol. 54 pg 929

PROSECUTION OF WORK
 Form "A" filed June 30, 1961
 Form "B" filed Oct 23, 1964
 Form "C" filed _____

FINAL PROOF
 Blank mailed 1-30-2002
 Proof received FEB 15 2002
 Date certificate issued _____

OWNERSHIP UPDATE

NOTICE OF BEGINNING OF CONSTRUCTION

I, International Paper Company, the holder of Permit No. 2341 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 26th day of June, 1961.

Remarks: Driving steel sheet piling on east wing of downstream wall of dam began June 26, completed June 27, crew of 4. Access road began 6-19-61; clearing and grubbing up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith. site began 6-21-61, completed 6-24-61, 6-man crew, power saws and D-7 bulldozer, which also moved pile driving equipment in and out.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of June, 1961.
INTERNATIONAL PAPER COMPANY
By: Harlan O. Hope Gardiner, Oregon
Division of Industrial Engineering (Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is begun.

NOTICE OF COMPLETION OF CONSTRUCTION

I, International Paper Company, Gardiner Paper Mill, the holder of Permit No. R-2341 to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 13th day of February, 1964.

Remarks: If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of October, 1964.
E. P. Stone E. P. Stone P.O. Box 854, Gardiner, Oregon
(Signature of Applicant) Agent (Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is completed.

NOTICE: A contested case hearing was held for this application. The contested case record consisting of the pleadings, transcript or tapes, and the Administrative Law Judge's record is filed numerically by application number in the file cabinets marked "CONTESTED CASE RECORDS."



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

April 13, 2004

William Young
Administrative Law Judge
Office of Administrative Hearings
1899 Willamette Street
Eugene, OR 97401

Re: Certificates 79195, 79196 and 79197 in the name of International Paper Co.

Dear Judge Young:

On December 23, 2002, the Oregon Water Resources Department (Department) referred a contest to Certificates 79195, 79196 and 79197 to the Office of Administrative Hearings (OAH) for hearing.

On April 13, 2004, the Department received a letter from the attorneys representing WaterWatch of Oregon and Robert Craver, withdrawing their contest to Certificates 79195, 79196 and 79197. (Letter attached.) Accordingly, a contested case hearing is no longer necessary to resolve the contest and I am withdrawing the case from the OAH pursuant to OAR 137-003-0515. The Department is sending the enclosed letter to the parties notifying them that all issues have been resolved.

If you have any questions about this matter, please contact Kimberly Grigsby at (503) 986-0825.

Sincerely,

Richard D. Bailey, Administrator
Water Rights and Adjudications Division

SOKOL & ANUTA, P.C.
TRIAL LAWYERS

LARRY M. SOKOL
KARL G. ANUTA*

DAVID S. FOSTER

STROWBRIDGE BUILDING
735 S.W. FIRST AVENUE
PORTLAND, OREGON 97204
(503) 228-6469
FAX (503) 228-6551

*ALSO ADMITTED IN WASHINGTON

April 13, 2004

Ms. Kimberly Grigsby
Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, OR 97301

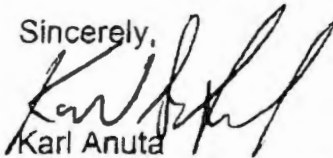
Re: **International Paper Company, Water Right Certificates
79195, 79196, and 79197**

Dear Ms. Grigsby:

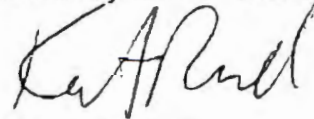
On May 14, 2002, WaterWatch of Oregon and Robert Craver filed a joint contest of Certificates 79195, 79196 and 79197. As you know, WaterWatch and Mr. Craver have signed settlement agreements with the certificate holder International Paper and the Water Resources Department regarding these certificates. Pursuant to those agreements, WaterWatch and Mr. Craver hereby withdraw their joint contest of these certificates.

Thank you for your work on this matter.

Sincerely,



Karl Anuta
Attorney for Mr. Craver



Karen Russell
Attorney for WaterWatch of Oregon

- c. Clients
Mr. David Fillippi, Attorney for IP



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

April 13, 2004

Karen Russell
WaterWatch
213 SW Ash, Suite 208
Portland, OR 97204

Karl G. Anuta
Sokol & Anuta
735 SW First Ave
Portland, OR 97204

David E. Filippi
Stoel Rives LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204

**Re: Water Right Certificates 79195, 79196 and 79197 in the name of
International Paper Co.**

Dear Parties:

On April 13, 2004, the Oregon Water Resources Department (Department) received a letter from the attorneys representing WaterWatch of Oregon and Robert Craver, notifying the Department that all of the issues in the case have been resolved without the need for a hearing and withdrawing their contest to Certificates 79195, 79196 and 79197.

Since all of the issues in this case have been resolved without the need to hold a hearing, the Department will withdraw this case from the Office of Administrative Hearings pursuant to OAR 137-003-0515(4).

If you have any questions, please call me at (503) 986-0825.

Sincerely,

Kimberly Grigsby
Agency Representative

cc: William Young, ALJ

CERTIFICATE OF SERVICE

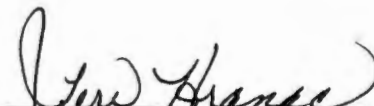
I hereby certify that on April 13, 2004, I filed the original letter to William Young, dated April 13, 2004, with William Young, Administrative Law Judge, P.O. 1899 Willamette Street, Eugene, OR 97401 by e-mail to William.d.young@state.or.us and by first class mail with postage prepaid.

I further certify that on April 13, 2004, a true and correct copy of the above-described letter was served on each of the parties listed below by e-mail and by first class mail with postage prepaid:

Karen Russell
WaterWatch
213 SW Ash, Suite 208
Portland, OR 97204
Karen@waterwatch.org

Karl G. Anuta
Sokol & Anuta
735 SW First Ave
Portland, OR 97204
sokolanuta@ipns.com

David E. Filippi
Stoel Rives LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204
defilippi@stoel.com



Teri Hranac



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

September 29, 2021

Sarah R Liljefelt, Attorney
Schroeder Law Offices PC
1915 NE Cesar E Chavez Blvd
Portland OR 97212

Re: Specific to General Industrial Notification – Industrial Harbor USA, LLC

Dear Ms. Liljefelt,

We received your letter of July 19, 2021, notifying Oregon Water Resources Department (Department) that Industrial Harbor USA, LLC (Industrial Harbor), is changing the use of water from the specific industrial use of manufacturing to general industrial use under Certificate 80656 and changing the use of water from the specific industrial use of storage for manufacturing under Certificates 80657 and 80658 to storage for general industrial use.

The letter indicates that the general industrial use will include, but not limited to conversion of the mill to a water bottling plant where water will be bottled onsite for sale to customers. The letter describes the location of the industrial facility owned by the holder of the original water right at the time the water right permit was issued. Finally, the letter indicates that the quantity of water used for general industrial use will not be greater than the quantity used to satisfy the authorized specific industrial use.

The requirements for making the change are established under ORS 540.520(9) and OAR 690-380-2340. Your letter appears to include all of the information required under the statutes and rules. We will file your notification in our water right records.

Current statutes and rules do not include a process for Department review and approval of notifications of specific to general industrial changes. Any issues associated with eligibility and compliance will be addressed by the watermaster during normal distribution and regulation activities. However, please be aware that, in accordance with ORS 540.520(9), the quantity of water used for the general industrial use shall not be greater than the rate and volume allowed in the original water right **and** shall not be greater than the quantity of water diverted, both in rate and in volume, to satisfy the authorized specific use under the original right.

It is also important to note that the Department's rules define "industrial water use" as:

"...the use of water associated with the processing or manufacture of a product. These uses include, but are not limited to, construction, operation and maintenance of an industrial site, facilities and buildings and related uses. Examples of these uses include, but are not limited to, general construction; road construction, nonhydroelectric power production, including down-hole heat exchange and geothermal; agricultural or forest product processing; and fire protection. Such use shall not include irrigation or landscape maintenance of more than ½ acre..."

[OAR 690-300-010(25)]

In the event that Industrial Harbor, or any subsequent holder of the water rights described by Certificates 80656, 80657, and 80658, wishes to request to change the character of use of the rights through the Water Right Transfer process outlined in OAR 690-380, the quantity of water that may be transferred to the new use will be limited to the quantity of water beneficially used without waste for the general industrial use, consistent with the requirements and limitations in ORS 540.520(9).

Please do not hesitate to contact me at 503-979-3511 or Patrick.K.Starnes@oregon.gov if you have any questions.

Sincerely,



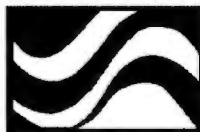
Kelly Starnes
Transfer Program Analyst
Transfer and Conservation Section

cc: Water Right Application Files S-29820, R-30079, R-30179
Industrial Harbor USA, LLC, PO Box 119, Centralia, WA 98531
Jake Johnstone, Southwest Region Manager
Susan Douthit, Watermaster District 15

Laura A. Schroeder
Oregon, Idaho,
Nevada, Washington & Utah

Therese A. Ure
Oregon & Nevada

Sarah R. Liljefelt
Oregon,
California & Utah



SCHROEDER
LAW OFFICES, P.C.

William F. Schroeder
(1928 - 2015)

Wyatt E. Rolfe
Of Counsel
Oregon & Washington

James Browitt
Of Counsel
Idaho & Washington

July 19, 2021

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JUL 21 2021

VIA U.S. MAIL

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

COPY

OWRD

RE: Request for Change from Specific to General Industrial Use

To Whom It May Concern:

Industrial Harbor USA, LLC ("Industrial Harbor") is the holder of Certificates 80656, 80657, and 80658, which authorize water storage and use for "manufacturing." On behalf of Industrial Harbor, we request that the Oregon Water Resources Department ("OWRD") change the entirety of Certificates 80656, 80657, and 80658 from specific industrial use for manufacturing to general industrial use pursuant to ORS 540.520(9) and OAR 690-380-2340. Please find below the information required by the statute and administrative regulation:

a) The name and mailing address of the person using water under the water right:

Industrial Harbor USA, LLC
PO Box 119
Centralia, WA 98531

Agent:

Schroeder Law Offices, PC
1915 NE Cesar E Chavez Blvd
Portland, OR 97212

b) The water right certificate number:

Certificates 80656, 80657, and 80658.

c) A description of the location of the industrial facility owned by the holder of the original water right at the time the water right permit was issued:

Certificate 80656:

The International Paper Company Gardiner Mill

1915 NE Cesar E. Chavez Boulevard, Portland, Oregon 97212 (503) 281-4100

10615 Double R Boulevard, Suite 100, Reno, Nevada 89521 (775) 786-8800

www.water-law.com counsel@water-law.com

S ½ NW ¼
Lot 3 (NE ¼ SW ¼)
Lot 2 (NW ¼ SW ¼)
SW ¼
SW ¼ SE ¼
Both as projected within Addison Gibbs DLC 37
Section 15
Township 21 South, Range 12 West, W.M.

Certificate 80657:

Siltcoos Lake Reservoir

S ½ SW ¼
Section 19

NW ¼
Section 30

Township 19 South, Range 11 West, W.M.

S ½ SE ¼
Section 23

SW ¼ SW ¼
Section 24

S ½ NE ¼
SE ¼ NE ¼
NE ¼ SW ¼
S ½ SW ¼
Section 25

E ½
S ½ NW ¼
SW ¼
Section 26

E ½ SE ¼
Section 27

N ½ NE ¼
SW ¼ NE ¼
Section 33

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JUL 21 2021

OWRD

Oregon Water Resources Department
July 19, 2021
Page 3 of 7

E ½
N ½ NW ¼
SE ¼ NW ¼
Section 34

All
Section 35

N ½
SW ¼
NW ¼ SE ¼
Section 36

Township 19 South, Range 12 West, W.M.

N ½ SW ¼
SW ¼ SW ¼
Section 6

NW ¼ NW ¼
Section 7

Township 20 South, Range 11 West, W.M.

N ½ NW ¼
SW ¼ NW ¼
SW ¼
W ½ SE ¼
SE ¼ SE ¼
Section 1

All
Section 2

NE ¼
NE ¼ SE ¼
S ½ SE ¼
Section 3

NE ¼
Section 10

W ½ NE ¼

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JUL 21 2021

OWRD

Oregon Water Resources Department
July 19, 2021
Page 4 of 7

N ½ NW ¼
SE ¼ NW ¼
NE ¼ SW ¼
W ½ SE ¼
Section 11

NE ¼
NW ¼ NW ¼
Section 12

NW ¼ NE ¼
Section 14

Township 20 South, Range 12 West, W.M.

Certificate 80658:

Tahkenitch Lake Reservoir

SW ¼
SW ¼ SE ¼
Section 14

S ½ S ½
Section 15

SE ¼ SE ¼
Section 16

NE ¼ NE ¼
S ½ NE ¼
SE ¼
Section 21

N ½
SW ¼
NW ¼ SE ¼
Section 22

N ½ NW ¼
SW ¼ NW ¼
SW ¼ SW ¼
Section 23

SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 24

NE $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 25

SW $\frac{1}{4}$ NE $\frac{1}{4}$
W $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$
S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 26

All
Section 27

E $\frac{1}{2}$
S $\frac{1}{2}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 28

E $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
E $\frac{1}{2}$ NW $\frac{1}{4}$
E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 29

NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 32

E $\frac{1}{2}$
N $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{2}$
Section 33

N $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$

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JUL 21 2021

OWRD

Oregon Water Resources Department
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Page 6 of 7

W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 34

N $\frac{1}{2}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 35

N $\frac{1}{2}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 36

Township 20 South, Range 12 West, W.M.

NW $\frac{1}{4}$ NE $\frac{1}{4}$
N $\frac{1}{2}$ NW $\frac{1}{4}$
Section 2

NE $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
W $\frac{1}{2}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 3

NE $\frac{1}{4}$
E $\frac{1}{2}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4

Township 21 South, Range 12 West, W.M.

d) The quantity of water diverted to satisfy the authorized specific use under the original water right:

Certificate 80656: 17,374 acre-feet annually ("AFA") (365-day year), 17,422 AFA (366-day year)

Certificate 80657: 15,070 AFA

Certificate 80658: 16,580 AFA

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JUL 21 2021

OWRD

Oregon Water Resources Department
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Page 7 of 7

e) A description of the general industrial use to be made of the water after the change:

The International Paper Company Gardiner Mill previously manufactured paper. After OWRD approves the change from specific to general industrial use, water will be used for general industrial uses up to the rate and duty authorized by Certificates 80656, 80657, and 80658. Such general industrial uses will include, but are not limited to, conversion of the mill to a water bottling plant where water will be bottled onsite for sale to customers.

Thank you for your assistance with this matter. Please contact our office at (503) 281-4100 if you have any questions or require additional information to change Certificates 80656, 80657, and 80658 from manufacturing to general industrial use.

Very truly yours,
SCHROEDER LAW OFFICES, P.C.



Sarah R. Liljefelt

SRL:cic

cc: Client; Lisa Jaramillo, Susan Douthit, and Jake Johnstone (*via email*)



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

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): INTERNATIONAL PAPER COMPANY

Mailing Address: P.O. BOX 854

GARDINER OR 97441

City State Zip

Phone: 901.419.4270

Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): INDUSTRIAL HARBOR USA, LLC

Mailing Address: 3408 S. UNION AVENUE

TACOMA WA 98409

City State Zip

Phone: _____

Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: DOUGLAS & LANE Township: _____ Range: _____ Section: _____

Tax Lot Number(s): SEE ATTACHED/ADDITIONAL PAGES

Street address of water right property: _____

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: R 30073 Permit #: R 2341 Certificate or Page #: 80657

Will all the lands associated with this water right be owned by the buyer? Yes No

Name of individual completing this form: KEVIN J. HAUVENS Phone: 901.419.1935

Signature: _____ Date: 10/28/2014

Please be sure to attach a copy of your property deed or legal description of the property. PROPERTY OWNED BY OWRD

Attachment to 80657

S ½ SW 1/4
SECTION 19

NW 1/4
SECTION 30
TOWNSHIP 19 SOUTH, RANGE 11 WEST, W.M.

S ½ SE 1/4
SECTION 23

SW 1/4 SW 1/4
SECTION 24
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

S ½ NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
S ½ SW 1/4
SE 1/4
SECTION 25
E ½
S ½ NW 1/4
SW 1/4
SECTION 26

E ½ SE 1/4
SECTION 27

N ½ NE 1/4
SW 1/4 NE 1/4
SECTION 33

E ½
N ½ NW 1/4
SE 1/4 NW 1/4
SECTION 34

ALL
SECTION 35

N ½
SW 1/4
NW 1/4 SE 1/4
SECTION 36
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

N ½ SW 1/4
SW 1/4 SW 1/4
SECTION 6

Attachment to 80657

NW 1/4 NW 1/4
SECTION 7
TOWNSHIP 20 SOUTH, RANGE 11 WEST, W.M.

N 1/2 NW 1/4
SW 1/4 NW 1/4
SW 1/4
W 1/2 SE 1/4
SE 1/4 SE 1/4
SECTION 1
ALL
SECTION 2
TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

NE 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
SECTION 3

NE 1/4
SECTION 10

W 1/2 NE 1/4
N 1/2 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
W 1/2 SE 1/4
SECTION 11

NE 1/4
NW 1/4 NW 1/4
SECTION 12

NW 1/4 NE 1/4
SECTION 14
TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

RECEIVED BY OWRD

NOV 16 2016

SALEM, OR

STATE OF OREGON
COUNTIES OF LANE AND DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

INTERNATIONAL PAPER COMPANY
GARDINER MILL
P.O. BOX 854
GARDINER, OR 97441

confirms the right to store the waters of SILTCOOS RIVER, a tributary of PACIFIC OCEAN, in SILTCOOS LAKE RESERVOIR, appropriated under Permit 26724, for MANUFACTURING.

The right to store these waters was perfected under Reservoir Permit R-2341. The date of priority is JUNE 20, 1955. The amount of water entitled to be stored each year under this right is not more than 15,070 ACRE-FEET.

The dam is located as follows:

SILTCOOS DAM: LOT 4 (SW 1/4 NE 1/4), SECTION 33, TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

The area inundated by the reservoir is located within:

S ½ SW 1/4
SECTION 19

NW 1/4
SECTION 30
TOWNSHIP 19 SOUTH, RANGE 11 WEST, W.M.

S ½ SE 1/4
SECTION 23

SW 1/4 SW 1/4
SECTION 24
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

RECEIVED BY OWRD

NOV 16 2016

SALEM, OR

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

S ½ NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4

S ½ SW 1/4
SE 1/4

SECTION 25

E ½

S ½ NW 1/4

SW 1/4

SECTION 26

E ½ SE 1/4

SECTION 27

N ½ NE 1/4
SW 1/4 NE 1/4

SECTION 33

E ½

N ½ NW 1/4

SE 1/4 NW 1/4

SECTION 34

ALL

SECTION 35

N ½

SW 1/4

NW 1/4 SE 1/4

SECTION 36

TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

N ½ SW 1/4

SW 1/4 SW 1/4

SECTION 6

NW 1/4 NW 1/4

SECTION 7

TOWNSHIP 20 SOUTH, RANGE 11 WEST, W.M.

N ½ NW 1/4

SW 1/4 NW 1/4

SW 1/4

W ½ SE 1/4

SE 1/4 SE 1/4

SECTION 1

ALL

SECTION 2

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

RECEIVED BY OWRD

NOV 16 2016

SALEM, OR

NE 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
SECTION 3

NE 1/4
SECTION 10

W 1/2 NE 1/4
N 1/2 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
W 1/2 SE 1/4
SECTION 11

NE 1/4
NW 1/4 NW 1/4
SECTION 12

NW 1/4 NE 1/4
SECTION 14

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

RECEIVED BY OWRD

NOV 16 2016

SALEM, OR

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

The dam constructed in Siltcoos River shall be a gated structure so designed that when the gates are fully opened or removed the water passage areas shall be approximately equal to the areas and dimensions of the channel at the dam site as they existed prior to dam construction. The floor elevation of the structure is and shall remain at or near the bottom elevation of the channel at the dam site as it existed prior to dam construction. The dam shall include a fish ladder designed to pass fish upstream or downstream at any time when the gates of the dam are closed and at such times said ladder shall carry not less than 12.5 cubic feet per second of water. The ladder shall be constructed and maintained in accordance with plans approved by the Oregon Department of Fish and Wildlife ("ODFW") or its successor. Plans and specifications for the dam shall be approved by OWRD or its successor.

The gates in the Siltcoos dam shall be fully opened on November first of each year and shall remain open until April first of the following year, or until Siltcoos Lake level has fallen to elevation 8.0 mean sea level ("M.S.L.").

During the period of March 15 to November 1 of each year when the Siltcoos Lake level is rising due to excess of inflow over outflow and when said lake level reaches 8.0 M.S.L., the gates in the dam shall be opened or partially opened so as to pass all excess water and maintain

lake level at 8.0 M.S.L.; if the lake level continues to rise above 8.0 M.S.L., all gates shall be completely opened and shall not be closed until the lake level has again fallen to 8.0 M.S.L. During said period when the lake level is falling and reaches 8.0 M.S.L., the gates in the dam shall be partially closed as necessary to maintain lake level at 8.0 M.S.L. as nearly as may be possible while an outflow of not less than 50 cfs at low tide is maintained. Of the 50 cfs, not less than 12.5 cfs shall be discharged through the fish ladder.

The level of Siltcoos Lake shall not be lowered below elevation 3.0 M.S.L. Insofar as possible while maintaining the authorized diversion of 12.42 cfs and minimum flows in Siltcoos River, the lake level shall not be lowered below elevation 5.0 M.S.L. before September first. During September, October, and November, the outflow through Siltcoos River shall be increased in consultation with and agreement by ODFW or its successor with the objective of furnishing more than normal flows in the interest of anadromous fish and maintaining an open channel through the bar which forms at the mouth of the river; the lake will be lowered to elevation 6 M.S.L. during this three-month period. These dates may be temporarily modified based upon the interests of anadromous fish in consultation with the certificate holder and ODFW and agreement by ODFW that the proposed changes are in the interest of improving values for fish. Temporary modifications must maintain the Siltcoos diversion authorized under this certificate and minimum flows in the Siltcoos River. These dates may not be permanently modified except by order of the OWRD as follows.

The three previous provisions above shall be subject to review from time to time and may be modified by order of the OWRD or its successor in consultation with, and written agreement by, the ODFW or its successor that the modification is in the interest of improving values for fish. OWRD may issue an order approving modifications only after notice of the proposed changes in OWRD's weekly public notice and the certificate holder or proponent of the modifications has held a public meeting in the general vicinity of the Siltcoos and Tahkenitch lakes with an opportunity for public comment on the proposed changes. The certificate holder or proponent of the changes shall provide public notice of the public meeting in the form of publication in a local newspaper once a week for at least three weeks prior to the public meeting. Modifications may only be made as necessary or desirable in the interests of improving values for fish and recreation, provided that such order shall not reduce the quantity of water that the certificate holder may appropriate for beneficial use.

The certificate holder shall install and maintain adequate screens at the intakes to pumping plants in accordance with plans approved by ODFW or its successor. RECEIVED BY OWRD

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The certificate holder shall maintain continuous daily records of lake elevations referred to mean sea level and shall furnish such records to the OWRD or its successor at the close of each month and at such other times as requested by OWRD.

The certificate holder shall install and maintain in accordance with plans approved by the OWRD or its successor a continuous water stage recorder on Siltcoos River within the first quarter mile below the dam.

The certificate holder shall install and maintain a totalizing flow meter at times of actual diversion at the point(s) of diversion from Siltcoos Lake. The totalizing flow meter must be installed and maintained in good working order as identified in OAR 690-507-0645. The certificate holder shall maintain continuous daily records of the rate of diversions and shall furnish records showing the rate and duty of diversions to the OWRD or its successor at the close of each year and at such other times as requested by the OWRD or its successor.

All or a portion of the storage of waters of Siltcoos Lake under this certificate for manufacturing purposes may be transferred from manufacturing use to aquatic life, fish and wildlife, and/or recreation that is compatible with aquatic life, fish and wildlife, use only, provided the new certificate(s) contains the conditions contained in this certificate.

Such transfers must be consistent with the process and limitations contained in ORS chapter 540 and applicable administrative rules.

WITNESS the signature of the Water Resources Director, affixed April 13, 2004.


Paul R. Cleary

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Recorded in State Record of Water Right Certificates Number 80657.

R-30073.SB

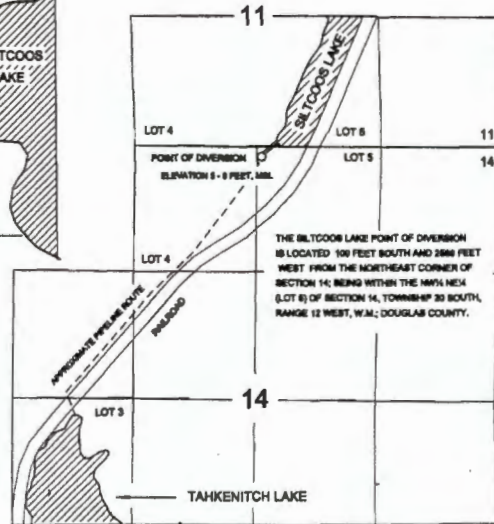
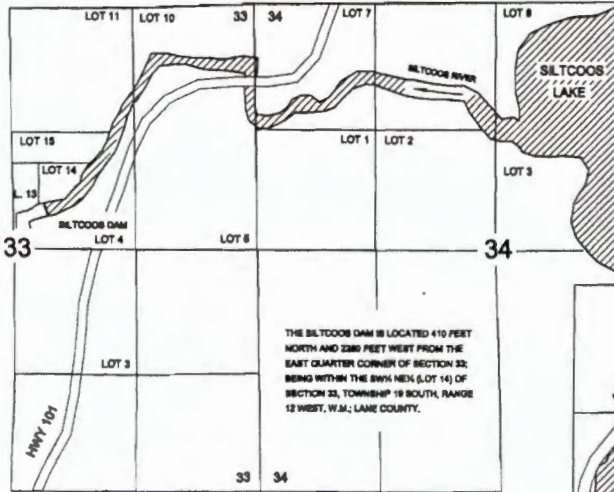
**FINAL PROOF SURVEY MAP
IN THE NAME OF INTERNATIONAL PAPER COMPANY
MAP 1 OF 3**

APPLICATION No.: R - 30073
R - 30179
29820

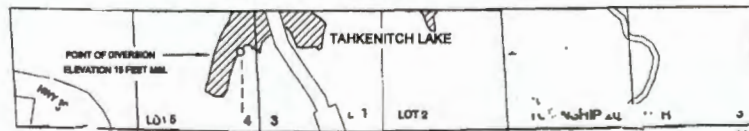
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R - 2342
26724

TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

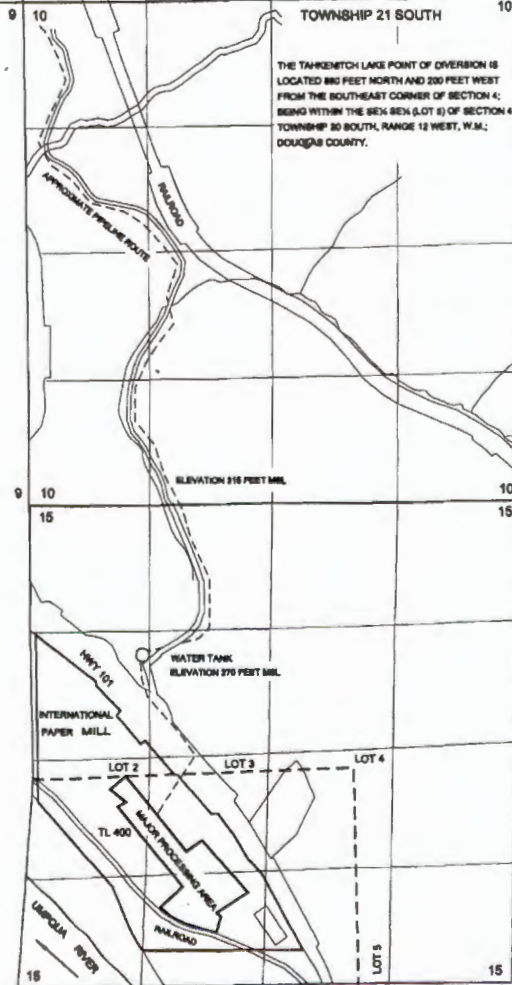
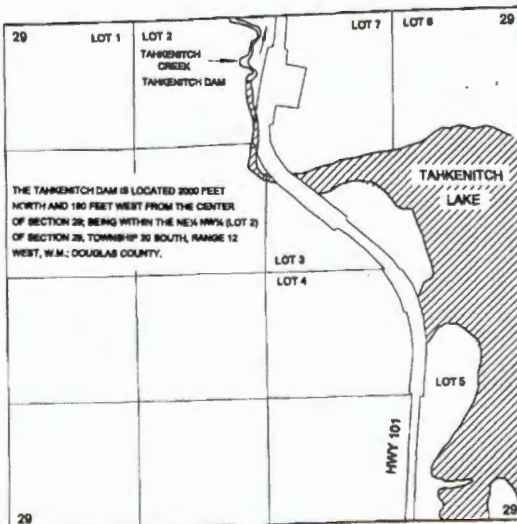
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TOWNSHIPS 20 & 21 SOUTH, RANGE 12 WEST, W.M.



TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.



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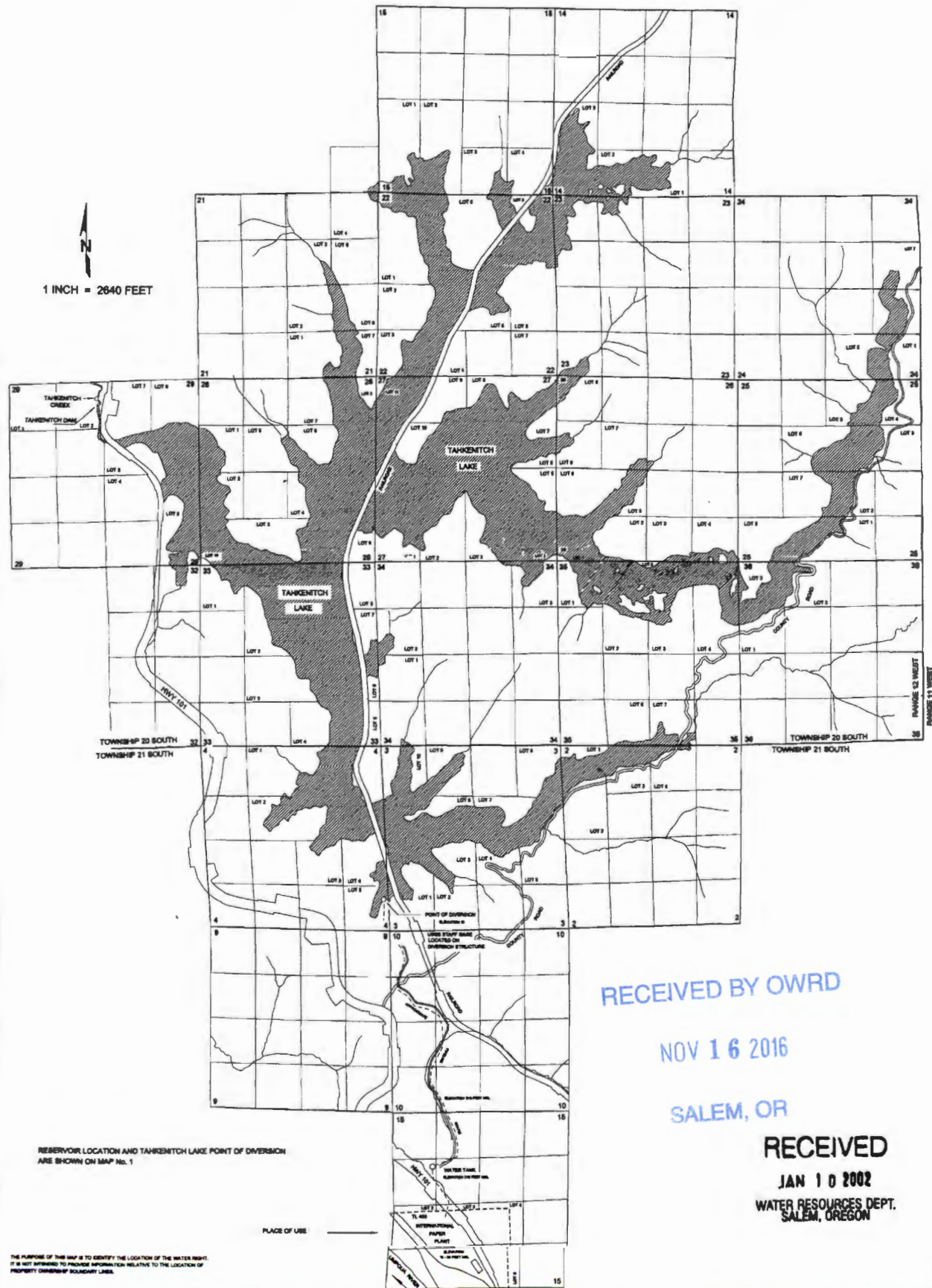
THE PURPOSE OF THIS MAP IS TO SHOW THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

FINAL PROOF SURVEY MAP IN THE NAME OF INTERNATIONAL PAPER COMPANY MAP 2 OF 3

APPLICATION No. R - 30179

PERMIT No. R - 2342

TOWNSHIP 20 & 21 SOUTH, RANGE 12 WEST, W.M.



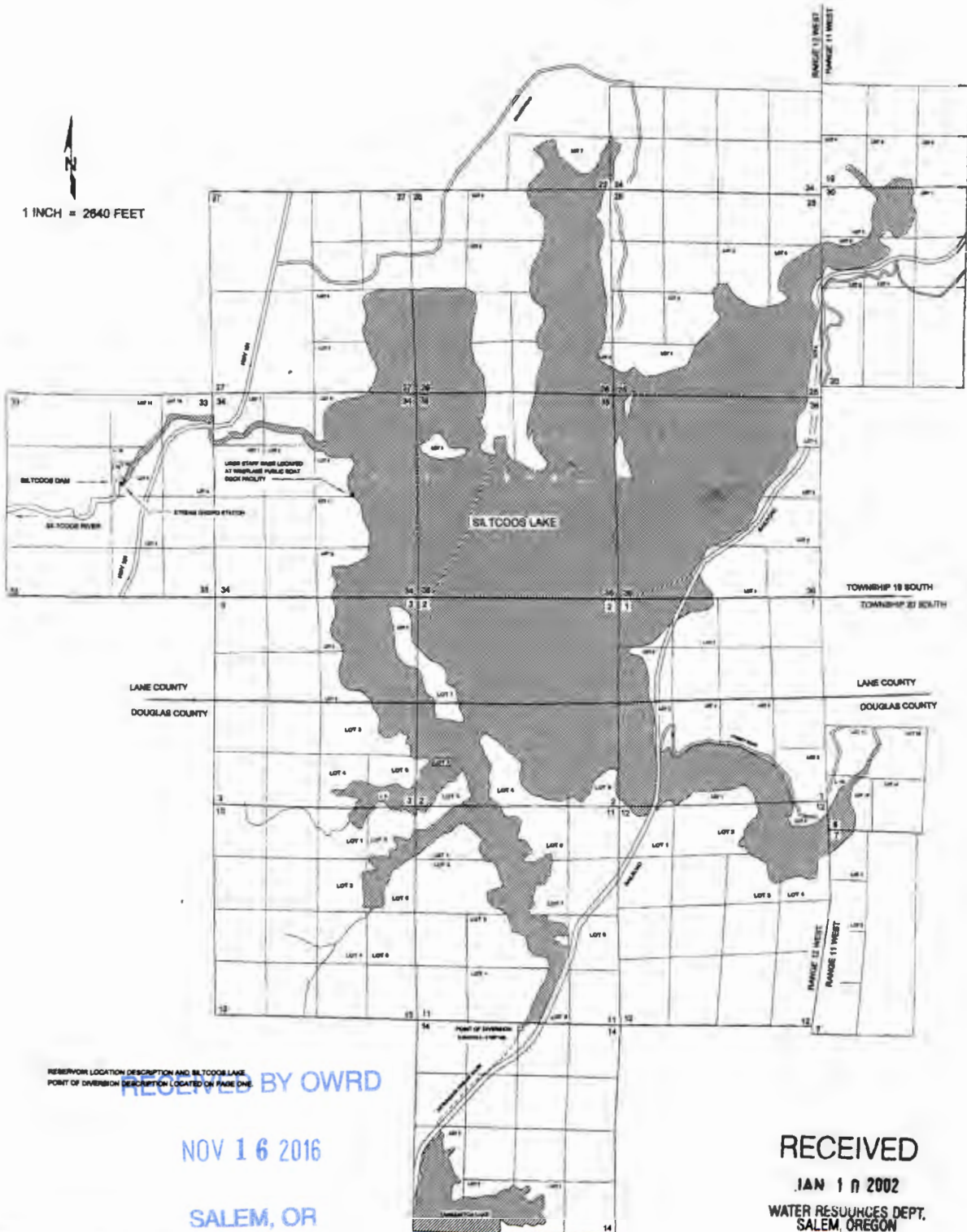
**FINAL PROOF SURVEY MAP
IN THE NAME OF INTERNATIONAL PAPER COMPANY**

MAP 3 OF 3

APPLICATION No. R - 30073

PERMIT No. R - 2341

TOWNSHIP 19 & 20 SOUTH, RANGE 11 & 12 WEST, W.M.



RESERVOIR LOCATION DESCRIPTION AND SILCOOS LAKE
POINT OF DIVERSION DESCRIPTION LOCATED ON PAGE ONE

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THE PURPOSE OF THIS MAP IS TO SHOW THE LOCATION OF THE WATER RIGHT.
IT IS NOT EXPRESSED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY BOUNDARY LINES.



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

April 13, 2004

Karen Russell
WaterWatch
213 SW Ash, Suite 208
Portland, OR 97204

Karl G. Anuta
Sokol & Anuta
735 SW First Ave
Portland, OR 97204

David E. Filippi
Stoel Rives LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204

**Re: Water Right Certificates 79195, 79196 and 79197 in the name of
International Paper Co.**

Dear Parties:

On April 13, 2004, the Oregon Water Resources Department (Department) received a letter from the attorneys representing WaterWatch of Oregon and Robert Craver, notifying the Department that all of the issues in the case have been resolved without the need for a hearing and withdrawing their contest to Certificates 79195, 79196 and 79197.

Since all of the issues in this case have been resolved without the need to hold a hearing, the Department will withdraw this case from the Office of Administrative Hearings pursuant to OAR 137-003-0515(4).

If you have any questions, please call me at (503) 986-0825.

Sincerely,

Kimberly Grigsby
Agency Representative

cc: William Young, ALJ

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the Matter of Water Right Certificate
79195, 79196 and 79197, in the Name of
International Paper Company,
Certificate Holder

FINAL ORDER
INCORPORATING
SETTLEMENT
AGREEMENT

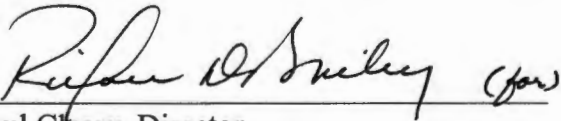
WaterWatch and Robert Craver,
Contestants

Based on the attached Settlement Agreement, which is incorporated herein and includes the draft remaining certificates attached, Contestants WaterWatch and Robert Craver withdrew their contest to Certificates 79195, 79196 and 79197.

Since all issues raised by the contest were satisfactorily resolved without the need to hold a hearing, the Oregon Water Resources Department withdrew this case from the Office of Administrative Hearings on March 31, 2004, pursuant to OAR 137-003-0515. In the interest of settlement, the June 6, 2003, decision on the motion to dismiss and rulings on legal issues, the June 25, 2003, decision on reconsideration and petition to intervene, and the July 22, 2003, decision on the petition to intervene issued by the Administrative Law Judge will not become final orders and are not a part of this order. The June 6, 2003, June 25, 2003, and July 22, 2003, decisions have no force or effect and are not binding precedent. All parties to this case reserve the right to make substantially similar arguments to any made in this proceeding in the future in other matters.

Therefore, it is ordered that the contest is dismissed and the June 6, 2003, June 25, 2003, and July 22, 2003, decisions are not a part of this FINAL ORDER INCORPORATING SETTLEMENT AGREEMENT.

DATED this 15 day of April, 2004.



Paul Cleary, Director
Oregon Water Resources Department

SETTLEMENT AGREEMENT

This Settlement Agreement ("**Agreement**") is made and effective the date signed by the last Party to sign the Agreement between International Paper Company ("**IP**"), a New York corporation, WaterWatch of Oregon ("**WaterWatch**"), an Oregon nonprofit corporation, Robert Craver ("**Craver**"), and the Oregon Water Resources Department ("**OWRD**") (individually "**Party**" and collectively, the "**Parties**").

RECITALS

A. IP is the holder of three water right certificates, Certificates 79195, 79196, and 79197 (collectively, and including the remaining certificates issued as the result of diminishment requested by IP, the "**Certificates**"), issued by the OWRD on February 15, 2002, in the name of IP.

(1) Certificate 79195 confirms a water right for the use of water from Siltcoos Lake and Tahkenitch Lake for manufacturing. This certificate has a priority date of March 16, 1955 for 12.42 cubic feet per second (cfs) from Siltcoos Lake and Siltcoos Reservoir and 6.65 cfs from Tahkenitch Lake and Tahkenitch Reservoir, and a priority date of November 9, 1955, for 19.65 cfs from Tahkenitch Lake and Tahkenitch Reservoir, further limited by the amount actually beneficial used and with the total amount not to exceed 26.30 cfs.

(2) Certificate 79196 confirms a water right to store for manufacturing not more than 15,070 acre-feet of the waters of Siltcoos River with a priority date of June 20, 1955.

(3) Certificate 79197 confirms a water right to store for manufacturing not more than 11,000 acre-feet of the waters of Tahkenitch River with a priority date of August 3, 1955 and to store not more than 5,580 acre feet with a priority date of November 9, 1955.

B. On May 14, 2002 WaterWatch and Craver timely filed a joint Contest of Certificates 79195, 79196, and 79197 (the "**Contest**"). The Contest asserts that IP failed to perfect all or a portion of the water rights included in the above-referenced Certificates and that the Certificates erroneously omitted conditions listed on the permits issued for these water rights (Permits R 2341, R 2342, and 26724). In particular, the Contest alleges that the Certificates were required to include the terms and conditions of a June 28, 1960 Statement, Finding of Fact, Conclusions and Order, in the Matter of Applications Nos. R-30073, R-30179, and 29820 (the "**1960 Order**"). Paragraph 1(g) of the 1960 Order made some provisions of that order subject to review and modification "in the interests of improving values for fish and recreation." Pursuant to that provision, the State Engineer modified two paragraphs of the 1960 Order in a May 18, 1966, order.

C. The contested case involving the Contest is pending before the Oregon Office of Administrative Hearings.

D. The Parties wish to engage in a process and establish the terms and conditions that will allow for the efficient, expeditious, and economical resolution of all current and anticipated disputes arising out of the Certificates.

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NOW THEREFORE, in consideration of the terms and conditions set forth in this Agreement, the sufficiency and adequacy of which are acknowledged by each Party, the Parties mutually agree:

1. Certificated Rights. The Parties agree that IP will request modification and OWRD will modify Certificates 79195, 79196, and 79197 as follows:

(a) Diminish Certificate 79195 so that the Siltcoos diversion is supplemental to the Tahkenitch diversion, such that the Siltcoos diversion is to be used only to make up a deficiency in supply from the Tahkenitch diversion.

(b) Modify Certificates 79195, 79196, and 79197 to include the terms and conditions of the 1960 Order, except as modified as follows:

(i) The dams constructed in Tahkenitch Creek and Siltcoos River shall be gated structures so designed that when the gates are fully opened or removed the water passage areas shall be approximately equal to the areas and dimensions of the channels at the dam sites as they existed prior to dam construction. The floor elevations of the structures are and shall remain at or near the bottom elevations of the channels at the dam sites as they existed prior to dam construction. The dams shall include fish ladders designed to pass fish upstream or downstream at any time when the gates of the dams are closed and at such times said ladders shall each carry not less than 12.5 cubic feet per second of water. The ladders shall be constructed and maintained in accordance with plans approved by the Oregon Department of Fish and Wildlife ("ODFW") or its successor. Plans and specifications for the dams shall be approved by OWRD or its successor.

(ii) Regulation of the Siltcoos Lake Level:

(A) The gates in the Siltcoos dam shall be fully opened on November first of each year and shall remain open until April first of the following year, or until Siltcoos Lake level has fallen to elevation 8.0 mean sea level ("M.S.L.").

(B) During the period of March 15 to November 1 of each year when the Siltcoos Lake level is rising due to excess of inflow over outflow and when said lake level reaches 8.0 M.S.L., the gates in the dam shall be opened or partially opened so as to pass all excess water and maintain lake level at 8.0 M.S.L.; if the lake level continues to rise above 8.0 M.S.L., all gates shall be completely opened and shall not be closed until the lake level has again fallen to 8.0 M.S.L. During said period when the lake level is falling and reaches 8.0 M.S.L., the gates in the dam shall be partially closed as necessary to maintain lake level at 8.0 M.S.L. as nearly as may be possible while an outflow of not less than 50 cfs at low tide is maintained. Of the 50 cfs, not less than 12.5 cfs shall be discharged through the fish ladder.

(C) The level of Siltcoos Lake shall not be lowered below elevation 3.0 M.S.L. Insofar as possible while maintaining the authorized diversion of 12.42 cfs and minimum flows in Siltcoos River, the lake level shall not be lowered below elevation 5.0 M.S.L. before September first. During September, October, and November, the outflow through Siltcoos River shall be increased in consultation with and agreement by ODFW or its successor with the objective of furnishing more than normal flows in the interest of anadromous fish and

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maintaining an open channel through the bar which forms at the mouth of the river; the lake will be lowered to elevation 6 M.S.L. during this three-month period. These dates may be temporarily modified based upon the interests of anadromous fish in consultation with the certificate holder and ODFW and agreement by ODFW that the proposed changes are in the interest of improving values for fish. Temporary modifications must maintain the Siltcoos diversion authorized under the Certificates and minimum flows in Siltcoos River. These dates may not be permanently modified except by order of the OWRD as provided in Paragraph 1(b)(iv) below.

(iii) Regulation of Tahkenitch Lake Level.

(A) The gates in the Tahkenitch dam shall be fully opened on November first of each year and shall remain open until April first or until Tahkenitch Lake level has fallen to elevation 15.4 M.S.L.

(B) During the period April 1 to November 1 of each year when the lake level is rising due to excess of inflow over outflow and when said lake level reaches 15.4 M.S.L., the gates in the dam shall be opened or partially opened so as to pass all excess water and maintain lake level at 15.4 M.S.L. If the lake level continues to rise above 15.4 M.S.L., all gates shall be completely opened and shall not be closed until the lake level has again fallen to 15.4 M.S.L. During said period when the lake level is falling and reaches 15.4 M.S.L., the gates in the dam shall be partially closed as necessary to maintain lake level at 15.4 M.S.L. as nearly as may be possible while an outflow of not less than 20 cfs is maintained. Of the 20 cfs, not less than 12.5 cfs shall be discharged through the fish ladder.

(C) The level of Tahkenitch Lake shall not be lowered below elevation 8.0 M.S.L. Insofar as possible while maintaining the authorized diversion of 26.30 cfs and minimum flows in Tahkenitch Creek, the lake level shall not be lowered below elevation 10.0 M.S.L. before September first. During September and October the outflow through Tahkenitch Creek shall be increased in consultation with and upon agreement by ODFW or its successor with the objective of furnishing more than normal flows in the interest of anadromous fish and maintaining an open channel.

(iv) The provisions of Paragraph (1)(b)(i) – (iii) above shall be subject to review from time to time and may be modified by order of the OWRD or its successor in consultation with, and written agreement by, the ODFW or its successor that the modification is in the interest of improving values for fish. OWRD may issue an order approving modifications only after notice of the proposed changes in OWRD's weekly public notice and the certificate holder or proponent of the modifications has held a public meeting in the general vicinity of the lakes with an opportunity for public comment on the proposed changes. The certificate holder or proponent of the modifications shall provide public notice of the public meeting in the form of publication in a local newspaper once a week for at least three weeks prior to the public meeting. Modifications may only be made as necessary or desirable in the interests of improving values for fish and recreation, provided that such order shall not reduce the quantity of water that the certificate holder may appropriate for beneficial use.

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(v) The certificate holder shall install and maintain adequate screens at the intakes to pumping plants in accordance with plans approved by ODFW or its successor.

(vi) The certificate holder shall maintain continuous daily records of lake elevations referred to mean sea level and shall furnish such records to the OWRD or its successor at the close of each month and at such other times as requested by OWRD.

(vii) The certificate holder shall install and maintain in accordance with plans approved by the OWRD or its successor a continuous water stage recorder on Siltcoos River within the first quarter mile below the dam. A similar installation shall be made on Tahkenitch Creek if ordered by the OWRD or its successor.

(viii) The certificate holder shall install and maintain a totalizing flow meter at the point(s) of diversion from Tahkenitch Lake. The certificate holder shall also install and maintain a totalizing flow meter at times of actual diversion at the point(s) of diversion from Siltcoos Lake. The totalizing flow meter must be installed and maintained in good working order as identified in OAR 690-507-0645. The certificate holder shall maintain continuous daily records of the rate of diversions and shall furnish records showing the rate and duty of diversions to the OWRD or its successor at the close of each year and at such other times as requested by the OWRD or its successor.

(c) Diminish Certificate 79195 so that the maximum annual volume of diversion of water under the certificate is no more than 17,374 acre-feet in a 365-day calendar year and no more than 17,422 acre feet in a 366-day calendar year.

(d) Diminish Certificates 79195, 79196, and 79197 to include the restrictions on transfer in Paragraph 2.

2. Transfer of Certificated Rights. IP will request and OWRD will approve diminishment of the Certificates as follows:

(a) All or any portion of the remaining certificate for Certificate 79195 for diversion from Tahkenitch Lake and Tahkenitch Reservoir may be used for another manufacturing or industrial use, provided the remaining certificate(s), if any, contains the conditions as specified in this Agreement. Such new manufacturing or industrial use may involve a transfer, which may include any associated changes in the place of use or point of diversion, and/or may involve a sale, lease, or other transfer of all or any portion of the right(s) to any person, corporation, municipality, or other entity for manufacturing or industrial use. If a new manufacturing or industrial use requires a transfer of a portion of the right, the maximum annual volume of diversion for the portion of the right to be transferred shall be proportionate to the maximum rate of diversion transferred. For example: if 13 cfs were transferred to a new industrial use at a new location, the maximum annual volume of diversion for the 13 cfs being transferred shall be no more than 8,588 acre-feet in a 365-day year (with an 8,786 acre-foot limit remaining with the untransferred portion of the right) and 8,612 in a 366-day year (with an 8,810 acre-foot limit remaining with the untransferred portion of the right).

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(b) All or any portion of the remaining certificate for Certificate 79195 may be transferred to a use other than a manufacturing or industrial use, subject to the limitations contained in Paragraphs (i)-(iii) below, and provided the remaining certificate(s) contains the conditions as specified in this Agreement. Such a transfer may include any associated changes in the place of use or point of diversion, and/or may involve a sale, lease, or other transfer of all or any portion of the rights to any person, corporation, municipality, or other entity.

(i) **Maximum Rate of Diversion.** Any such transfer in use is limited to a maximum rate of diversion of 26.30 cfs from Tahkenitch Lake and Tahkenitch Reservoir being 6.65 cfs (with a priority date of March 16, 1955) and 19.65 cfs (with a priority date of November 9, 1955).

(ii) **Maximum Annual Volume of Diversion:** Any such transfer is limited to a maximum annual volume of diversion as follows: not more than 13,031 acre-feet in a 365-day calendar year, and not more than 13,067 acre-feet in a 366-day calendar year. For transfers of a portion of the right to a use other than industrial or manufacturing use, the maximum annual volume of diversion shall be calculated as 68.44% of the total amount of the maximum rate transferred to any other use (using a full 19,040 acre-feet maximum annual volume of diversion in a 365-day calendar year, and a full 19,092 acre-feet maximum annual volume of diversion in a 366-day calendar year, as the baseline for the calculation, and ignoring the limitation imposed in paragraph 1(c) above for purposes of the calculation only). For example: if 13 cfs were transferred to municipal use, the maximum annual volume of diversion for the 13 cfs being transferred shall be no more than 6,441 acre-feet in a 365-day year (with an 8,786 acre-feet limit remaining with the untransferred manufacturing or industrial use portion of the right) and 6,459 acre-feet in a 366-day year (with an 8,810 acre-feet limit remaining with the untransferred manufacturing or industrial use portion of the right).

(iii) **Supplemental Siltcoos Diversion.** The Siltcoos portion of the diversion right shall not be transferred to any use other than supplemental manufacturing or industrial use. Upon approval, and the conclusion of any appeals, of a permanent transfer of all or a portion of the Tahkenitch diversion right to any use other than manufacturing or industrial, the certificate holder shall submit to OWRD an affidavit to cancel an amount of the Siltcoos supplemental diversion right proportional to the amount of the transferred Tahkenitch diversion right. OWRD will immediately cancel that portion of the Siltcoos right.

(c) All or a portion of the storage of waters of Tahkenitch Lake under the remaining certificate for Certificate 79197 for manufacturing purposes, may be transferred from manufacturing use to any other use, including but not limited to storage of water for fish and wildlife, recreation, or any other use that is consistent with the terms of this Agreement. All or a portion of the storage of waters of Siltcoos Lake under the remaining certificate for Certificate 79196 for manufacturing purposes, may be transferred from manufacturing use to aquatic life, fish and wildlife, and/or recreation that is compatible with aquatic life, fish and wildlife, use only.

(d) Notwithstanding the terms of this paragraph, transfers contemplated by this section 2 must be consistent with the process and limitations contained in Oregon Revised Statutes chapter 540 and applicable administrative rules.

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3. Challenges to Water Rights Certificates.

(a) IP agrees to submit a written request to the OWRD asking for modification of the Certificates as provided in this Agreement within two (2) days of the execution of this Agreement and the separate Agreement Regarding Additional Measures as between IP, WaterWatch, and Craver. This request shall be substantially similar in form and content to the draft request attached hereto as Attachment A. WaterWatch and Craver agree to withdraw all contests to the Certificates within two (2) days of IP's submission to OWRD. OWRD agrees to request withdrawal of the case from the Office of Administrative Hearings within two (2) days of receipt of Craver and WaterWatch's withdrawal of all contests, and to issue Final Orders and remaining Certificates consistent with this Agreement. OWRD agrees that these Final Orders and remaining Certificates will contain the conditions specified in this Agreement and will be substantially similar in form and content to the Draft Final Orders and Draft Certificates attached hereto as Attachments B and C. Craver and WaterWatch agree to waive all appeal rights, and forego any further challenges to these Final Orders and remaining Certificates, provided the Final Orders and remaining Certificates contain the conditions and provisions specified in this Agreement and the terms and conditions of this Agreement are met.

(b) The Final Order in Other than a Contested Case providing notice of certificate issuance shall contain the following statement: "The remaining Certificates include modifications that diminish the rights contained in the original Certificates and that impose additional terms and conditions on the use of water. Any new contest to the remaining Certificates shall be limited solely to these modifications, and shall otherwise be subject to the provisions contained in ORS Chapter 537."

(c) In the event a third party files a contest to any of the remaining Certificates within the three-month contest period prescribed by ORS 537.260(3), the Parties agree that the scope of any proceeding involving such a third-party contest should be limited to issues involving the certificate modifications. If a third-party files a contest, OWRD agrees to take the position that the only issues appropriately raised in such a contest are limited to those issues pertaining to the modifications to the previous Certificates.

(d) Pursuant to OAR 137-003-0535(1), OWRD names WaterWatch and Craver as limited parties in the event a third party files a contest to any of the remaining Certificates within the three-month contest period prescribed by ORS 537.260(3). WaterWatch and Craver are entitled to participate as limited parties in any subsequent proceeding for the sole purpose of defending the remaining Certificates.

4. General Provisions.

(a) Binding Effect. This Agreement will be binding upon and inure to the benefit of the Parties, and their respective heirs, personal representatives, successors, and assigns.

(b) Attorney Fees. In the event suit is instituted to interpret or enforce the terms of this Agreement, the prevailing Party will be entitled to recover from the other Party such sum as the court may adjudge reasonable as attorney fees at trial, on appeal or on any petition for review, in addition to all other sums provided by law. OWRD and/or the State of

Oregon's obligation under this section is subject to the limitations of Article XI, section 7 of the Oregon Constitution.

(c) Counterparts. This Agreement may be executed simultaneously or with separate signature pages and in more than one counterpart, each of which will be deemed an original, and all of which together shall constitute one and the same Agreement.

(d) Choice of Law. This Agreement will be construed, applied, and enforced in accordance with the laws of the state of Oregon without reference to its conflicts of law principles.

(e) Entire Agreement. This Agreement constitutes the entire agreement among the Parties with respect to the subject matter hereof and all promises, representations, understandings, arrangements, and prior agreements relating to this subject matter are merged and superseded by this Agreement.

(f) Mutual Preparation. Each Party has been represented in the negotiation and preparation of this Agreement by counsel for the Party. No presumption will be created in favor of or against any Party by reason of the preparation of this Agreement or any part of the Agreement by that Party's counsel.

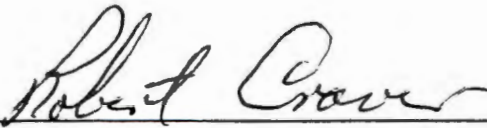
(g) Authority. The undersigned Parties are authorized to sign this Agreement and make binding and legally enforceable commitments for themselves or as agents and representatives for their respective organizations, as relevant, as set forth with more particularity in the endorsement for this Agreement.

The Parties execute this Agreement as of March 31, 2004. This Agreement will be effective as of the date it has been signed by all Parties.

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WATER RESOURCES DEPT
SALEM OREGON


Robert Craver
Date Signed 04-07-2004

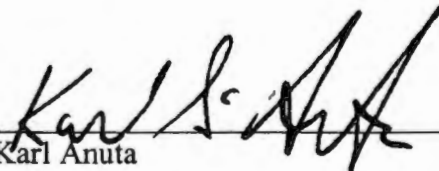
INTERNATIONAL PAPER COMPANY

By _____
Name _____
Title _____
Date Signed _____

APPROVED AS TO FORM:

David Filippi
Stoel Rives LLP
900 SW 5th Avenue, Suite 2600
Portland, OR 97204
Telephone: (503) 294-9520

Attorneys for International Paper
Company


Karl Anuta
Sokol & Anuta
735 SW First Avenue
Portland, OR 97204
Telephone: (503) 228-6469

Attorneys for Robert Craver

WATERWATCH OF OREGON

John DeVoe
Executive Director
Date Signed _____

OREGON WATER RESOURCES
DEPARTMENT

By _____
Name _____
Title _____
Date Signed _____

Karen Russell
WaterWatch of Oregon
213 SW Ash Street, Suite 208
Portland, OR 97204
Telephone: (503) 295-4039

Attorney for WaterWatch of Oregon

Shannon O'Fallon
Assistant Attorney General
Oregon Department of Justice
1162 Court St. NE
Salem, OR 97301
Telephone: (503) 378-4409

Attorney for Oregon Water Resources
Department

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WATER RESOURCES DEPT
SALEM, OREGON

WATERWATCH OF OREGON

Robert Craver
Date Signed _____

John DeVoe
Executive Director
Date Signed _____

INTERNATIONAL PAPER COMPANY

OREGON WATER RESOURCES
DEPARTMENT

By Larry Stowell
Name Larry Stowell
Title Vice President
Date Signed 3/31/04

By _____
Name _____
Title _____
Date Signed _____

APPROVED AS TO FORM:

David E. Filippi 4/12/04

David Filippi
Stoel Rives LLP
900 SW 5th Avenue, Suite 2600
Portland, OR 97204
Telephone: (503) 294-9520

Karen Russell
WaterWatch of Oregon
213 SW Ash Street, Suite 208
Portland, OR 97204
Telephone: (503) 295-4039

Attorneys for International Paper
Company

Attorney for WaterWatch of Oregon

Karl Anuta
Sokol & Anuta
735 SW First Avenue
Portland, OR 97204
Telephone: (503) 228-6469

Shannon O'Fallon
Assistant Attorney General
Oregon Department of Justice
1162 Court St. NE
Salem, OR 97301
Telephone: (503) 378-4409

Attorneys for Robert Craver

Attorney for Oregon Water Resources
Department

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WATER RESOURCES DEPT
SALEM, OREGON

WATERWATCH OF OREGON

Robert Craver

Date Signed _____

⁷²
John DeVoe

Executive Director

Date Signed 4/6/04

INTERNATIONAL PAPER COMPANY

OREGON WATER RESOURCES
DEPARTMENT

By _____

Name _____

Title _____

Date Signed _____

By _____

Name _____

Title _____

Date Signed _____

APPROVED AS TO FORM:

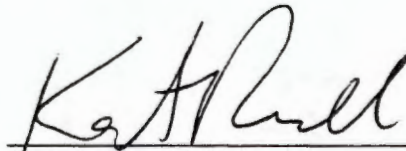
David Filippi

Stoel Rives LLP

900 SW 5th Avenue, Suite 2600

Portland, OR 97204

Telephone: (503) 294-9520



4/6/04

Karen Russell

WaterWatch of Oregon

213 SW Ash Street, Suite 208

Portland, OR 97204

Telephone: (503) 295-4039

Attorneys for International Paper
Company

Attorney for WaterWatch of Oregon

Karl Anuta

Sokol & Anuta

735 SW First Avenue

Portland, OR 97204

Telephone: (503) 228-6469

Attorneys for Robert Craver

Shannon O'Fallon

Assistant Attorney General

Oregon Department of Justice

1162 Court St. NE

Salem, OR 97301

Telephone: (503) 378-4409

Attorney for Oregon Water Resources
Department

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WATER RESOURCES DEPT
SALEM, OREGON

WATERWATCH OF OREGON

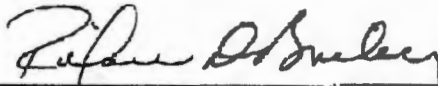
Robert Craver
Date Signed _____

John DeVoe
Executive Director
Date Signed _____

INTERNATIONAL PAPER COMPANY

OREGON WATER RESOURCES
DEPARTMENT

By _____
Name _____
Title _____
Date Signed _____

By 
Name Richard D. Bailey
Title Administrator
Date Signed April 1, 2004

APPROVED AS TO FORM:


David Filippi
Stoel Rives LLP
900 SW 5th Avenue, Suite 2600
Portland, OR 97204
Telephone: (503) 294-9520

Karen Russell
WaterWatch of Oregon
213 SW Ash Street, Suite 208
Portland, OR 97204
Telephone: (503) 295-4039

Attorneys for International Paper
Company

Attorney for WaterWatch of Oregon

Karl Anuta
Sokol & Anuta
735 SW First Avenue
Portland, OR 97204
Telephone: (503) 228-6469


Shannon O'Fallon
Assistant Attorney General
Oregon Department of Justice
1162 Court St. NE
Salem, OR 97301
Telephone: (503) 378-4409

Attorneys for Robert Craver

Attorney for Oregon Water Resources
Department

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WATER RESOURCES DEPT
SALEM, OREGON

Attachment A

[DRAFT REQUEST BY IP SEEKING MODIFICATION OF CERTIFICATES]

March __, 2004

Ms. Kimberly Grigsby
Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, OR 97301

Re: International Paper Company, Water Right Certificates 79195, 79196, and 79197

Dear Ms. Grigsby,

This office represents International Paper Company ("IP"), the certificate holder of the above-referenced Certificates (the "Certificates"). IP has reached a settlement agreement with WaterWatch of Oregon and Robert Craver, the two Contestants in the contested case involving the Certificates.

IP hereby requests that, after the contest has been withdrawn and a Final Order incorporating the Settlement Agreement has been entered, the Oregon Water Resources Department modify the Certificates as provided in the attached Settlement Agreement, dated March 31, 2004.

Sincerely,

David E. Filippi

Enclosure

cc (w/enc.): Ms. Karen Russell, WaterWatch of Oregon
Mr. Karl Anuta, counsel for Robert Craver
Client

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WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the Matter of Water Right Certificate
79195, 79196 and 79197, in the Name of
International Paper Company,
Certificate Holder

**FINAL ORDER
INCORPORATING
SETTLEMENT
AGREEMENT**

WaterWatch and Robert Craver,
Contestants

Based on the attached Settlement Agreement, which is incorporated herein and includes the draft remaining certificates attached, Contestants WaterWatch and Robert Craver withdrew their contest to Certificates 79195, 79196 and 79197.

Since all issues raised by the contest were satisfactorily resolved without the need to hold a hearing, the Oregon Water Resources Department withdrew this case from the Office of Administrative Hearings on March 31, 2004, pursuant to OAR 137-003-0515. In the interest of settlement, the June 6, 2003, decision on the motion to dismiss and rulings on legal issues, the June 25, 2003, decision on reconsideration and petition to intervene, and the July 22, 2003, decision on the petition to intervene issued by the Administrative Law Judge will not become final orders and are not a part of this order. The June 6, 2003, June 25, 2003, and July 22, 2003, decisions have no force or effect and are not binding precedent. All parties to this case reserve the right to make substantially similar arguments to any made in this proceeding in the future in other matters.

Therefore, it is ordered that the contest is dismissed and the June 6, 2003, June 25, 2003, and July 22, 2003, decisions are not a part of this FINAL ORDER INCORPORATING SETTLEMENT AGREEMENT.

DATED this 31st day of March, 2004.

DRAFT

Paul Cleary, Director
Oregon Water Resources Department

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APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the matter of Certificates 80656,)
80657 and 80658 in the name of)
International Paper Company)

ORDER ON CERTIFICATE
ISSUANCE

This is an order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within 60 days of the date this order is served, as specified by ORS 183.484(2).

The Oregon Water Resources Department issued Certificates 79195, 79196 and 79197 in the name of International Paper Company, Gardiner Mill on February 15, 2002. Although a contest was filed to those certificates, the certificates were not canceled in the manner provided in ORS 537.260. As a result, those certificates are considered conclusive evidence of the priority and extent of the appropriation described in those certificates, pursuant to ORS 537.270.

The attached certificates supersede certificates 79195, 79196 and 79197. These remaining certificates include modifications that diminish the rights contained in the original certificates and impose additional terms and conditions on the use of water, as requested by the certificate holder. Any new contest to these remaining certificates shall be limited solely to these modifications and shall otherwise be subject to the provisions contained in ORS Chapter 537.

DATED this 31st day of March, 2004.

DRAFT

Paul Cleary, Director
Oregon Water Resources Department

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APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2004, I filed the original ORDER ON CERTIFICATE ISSUANCE by hand delivery with David E. Filippi, attorney for International Paper.

I further certify that true and correct copies of the above-described order were served on the parties listed below by hand delivery.

Karen Russell
WaterWatch
213 SW Ash, Suite 208
Portland, OR 97204

Karl G. Anuta
Sokol & Anuta
735 SW First Ave
Portland, OR 97204

Kimberly Grigsby

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APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

[Certificate No. 80656]

THIS CERTIFICATE ISSUED TO

INTERNATIONAL PAPER COMPANY
GARDINER MILL
P.O. BOX 854
GARDINER, OR 97441

confirms the right to use the waters of TAHKENITCH LAKE AND TAHKENITCH RESERVOIR, CONSTRUCTED UNDER PERMIT NO. R-2342, tributary of the PACIFIC OCEAN for MANUFACTURING; and SILTCOOS LAKE AND SILTCOOS RESERVOIR, CONSTRUCTED UNDER PERMIT NO. R-2341, tributary of the PACIFIC OCEAN for SUPPLEMENTAL MANUFACTURING. The Siltcoos source is only to be diverted to make up a deficiency in supply from the Tahkenitch source.

This right was perfected under Permit 26724. The date of priority is MARCH 16, 1955 FOR 12.42 CUBIC FEET PER SECOND (CFS) FROM SILTCOOS LAKE AND SILTCOOS RESERVOIR AND 6.65 CFS FROM TAHKENITCH LAKE AND TAHKENITCH RESERVOIR AND NOVEMBER 9, 1955 FOR 19.65 CFS FROM TAHKENITCH LAKE AND TAHKENITCH RESERVOIR. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 26.30 CFS and not exceed a maximum duty of 17,374 acre-feet in a 365-day calendar year and 17,422 acre-feet in a 366-day calendar year, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SILTCOOS DAM: LOT 4 (SW 1/4 NE 1/4), SECTION 33, TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.;

SILTCOOS LAKE DIVERSION: LOT 5 (NW 1/4 NE 1/4), SECTION 14, TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M., 100 FEET SOUTH AND 2580 FEET WEST FROM THE NE CORNER OF SECTION 14;

TAHKENITCH DAM: LOT 2 (NE 1/4 NW 1/4), SECTION 29, TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.; AND

TAHKENITCH LAKE DIVERSION: LOT 5 (SE 1/4 SE 1/4), SECTION 4, TOWNSHIP 21 SOUTH, RANGE 12 WEST, W.M.; 860 FEET NORTH AND 200 FEET WEST FROM THE SE CORNER OF SECTION 4.

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WATER RESOURCES DEPT
SALEM, OREGON

A description of the place of use to which this right is appurtenant is as follows:

S 1/2 NW 1/4
LOT 3 (NE 1/4 SW 1/4)
LOT 2 (NW 1/4 SW 1/4)
SW 1/4

SW 1/4 SE 1/4
BOTH AS PROJECTED WITHIN ADDISON GIBBS DLC 37
SECTION 15
TOWNSHIP 21 SOUTH, RANGE 12 WEST, W.M.

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APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

Certificate Number
80656.

PAGE 2

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

Diversion and use of water under this certificate is subject to the terms and conditions contained in certificates 80657 and 80658 for storage of waters of Siltcoos and Tahkenitch Lakes.

The certificate holder shall install and maintain adequate screens at the intakes to pumping plants in accordance with plans approved by ODFW or its successor.

The certificate holder shall maintain continuous daily records of lake elevations referred to mean sea level and shall furnish such records to the OWRD or its successor at the close of each month and at such other times as requested by OWRD.

The certificate holder shall install and maintain a totalizing flow meter at the point(s) of diversion from Tahkenitch Lake. The certificate holder shall also install and maintain a totalizing flow meter at times of actual diversion at the point(s) of diversion from Siltcoos Lake. The totalizing flow meter must be installed and maintained in good working order as identified in OAR 690-507-0645.

The certificate holder shall maintain continuous daily records of the rate of diversions and shall furnish records showing the rate and duty of diversions to the OWRD or its successor at the close of each year and at such other times as requested by the OWRD or its successor.

All or any portion of this certificate for diversion from Tahkenitch Lake and Tahkenitch Reservoir may be used for another manufacturing or industrial use, provided the new certificate(s), if any, contains the conditions contained in this certificate. If a new manufacturing or

industrial use requires a transfer of a portion of the right, the maximum annual volume of diversion for the portion of the right to be transferred shall be proportionate to the maximum rate of diversion transferred. For example: if 13 cfs were transferred to a new industrial use at a new location, the maximum annual volume of diversion for the 13 cfs being transferred shall be no more than 8,588 acre-feet in a 365-day year (with an 8,786 acre-feet limit remaining with the untransferred portion of the right) and 8,612 in a 366-day year (with an 8,810 acre-feet limit remaining with the untransferred portion of the right).

All or any portion of this certificate for diversion from Tahkenitch Lake and Tahkenitch Reservoir may be transferred to a use other than a manufacturing or industrial use, subject to the following conditions and provided the new certificate(s) contains the conditions contained in this certificate:

(i) Maximum Rate of Diversion: Any such transfer in use is limited to a maximum rate of diversion of 26.30 cfs from Tahkenitch Lake and Tahkenitch Reservoir, being 6.65 cfs (with a priority date of March 16, 1955) and 19.65 cfs (with a priority date of November 9, 1955).

(ii) Maximum Annual Volume of Diversion: Any such transfer is limited to a maximum annual volume of diversion as follows: not more than 13,031 acre-feet in a 365-day calendar year, and not more than 13,067 acre-feet in a 366-day calendar year. For transfers of a portion of the right to a use other than industrial or manufacturing, the maximum annual volume of diversion shall be calculated as 68.44% of the total amount of the maximum rate transferred to any other use (using a full 19,040 acre-feet maximum annual volume of diversion in a 365-day calendar year, and a full 19,092 acre-feet maximum annual volume of diversion in a 366-day calendar year, as the baseline for the calculation). For example: if 13 cfs were transferred to municipal use, the maximum annual volume of diversion for the 13 cfs being transferred shall be no more than 6,441 acre-feet in a 365-day year (with an 8,786 acre-feet limit remaining with the untransferred manufacturing or industrial use portion of the right) and 6,459 acre-feet in a 366-day year (with an 8,810 acre-feet limit remaining with the untransferred manufacturing or industrial use portion of the right).

(iii) The portion of this right for the diversion of water from Siltcoos Lake and Siltcoos Reservoir may not be transferred to any use other than supplemental manufacturing or industrial use and any new certificate(s) must contain the conditions contained in this certificate. Upon approval of, and the conclusion of any appeals of, a permanent transfer of all or a portion of the Tahkenitch diversion right to any use other than manufacturing or

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industrial, the certificate holder shall submit to OWRD an affidavit to cancel an amount of the Siltcoos supplemental diversion right proportional to the amount of the transferred Tahkenitch diversion right.

Transfers contemplated in the above paragraphs must be consistent with the process and limitations contained in ORS chapter 540 and applicable administrative rules.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed

Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 80656.

29820.SB

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTIES OF LANE AND DOUGLAS
CERTIFICATE OF WATER RIGHT

(Cert. No.80657)

THIS CERTIFICATE ISSUED TO

INTERNATIONAL PAPER COMPANY
GARDINER MILL
P.O. BOX 854
GARDINER, OR 97441

confirms the right to store the waters of SILTCOOS RIVER, a tributary of PACIFIC OCEAN, in SILTCOOS LAKE RESERVOIR, appropriated under Permit 26724, for MANUFACTURING.

The right to store these waters was perfected under Reservoir Permit R-2341. The date of priority is JUNE 20, 1955. The amount of water entitled to be stored each year under this right is not more than 15,070 ACRE-FEET.

The dam is located as follows:

SILTCOOS DAM: LOT 4 (SW 1/4 NE 1/4), SECTION 33, TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

The area inundated by the reservoir is located within:

S ½ SW 1/4
SECTION 19

NW 1/4
SECTION 30
TOWNSHIP 19 SOUTH, RANGE 11 WEST, W.M.

S ½ SE 1/4
SECTION 23

SW 1/4 SW 1/4
SECTION 24

S ½ NE 1/4

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WATER RESOURCES DEPT
SALEM, OREGON

SE 1/4 NW 1/4
NE 1/4 SW 1/4
S 1/2 SW 1/4
SE 1/4
SECTION 25
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

E 1/2
S 1/2 NW 1/4
SW 1/4
SECTION 26

E 1/2 SE 1/4
SECTION 27

N 1/2 NE 1/4
SW 1/4 NE 1/4
SECTION 33

E 1/2
N 1/2 NW 1/4
SE 1/4 NW 1/4
SECTION 34

ALL
SECTION 35

N 1/2
SW 1/4
NW 1/4 SE 1/4
SECTION 36
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

N 1/2 SW 1/4
SW 1/4 SW 1/4
SECTION 6

NW 1/4 NW 1/4
SECTION 7
TOWNSHIP 20 SOUTH, RANGE 11 WEST, W.M.

N 1/2 NW 1/4
SW 1/4 NW 1/4
SW 1/4
W 1/2 SE 1/4

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WATER RESOURCES DEPT
SALEM, OREGON

SE 1/4 SE 1/4
SECTION 1
ALL
SECTION 2

NE 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
SECTION 3

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

NE 1/4
SECTION 10

W 1/2 NE 1/4
N 1/2 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
W 1/2 SE 1/4
SECTION 11

NE 1/4
NW 1/4 NW 1/4
SECTION 12

NW 1/4 NE 1/4
SECTION 14

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

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

The dam constructed in Siltcoos River shall be a gated structure so designed that when the gates are fully opened or removed the water passage areas shall be approximately equal to the areas and dimensions of the channel at the dam site as they existed prior to dam construction. The floor elevation of the structure is and shall remain at or near the bottom elevation of the channel at the dam site as it existed prior to dam construction. The dam shall include a fish ladder designed to pass fish upstream or downstream at any time when the gates of the dam are closed and at such times said ladder shall carry not less than 12.5 cubic feet per second of water. The ladder shall be constructed and maintained in accordance with plans approved by the Oregon Department of Fish and Wildlife ("ODFW") or its

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WATER RESOURCES DEPT
SALEM, OREGON

successor. Plans and specifications for the dam shall be approved by OWRD or its successor.

The gates in the Siltcoos dam shall be fully opened on November first of each year and shall remain open until April first of the following year, or until Siltcoos Lake level has fallen to elevation 8.0 mean sea level ("M.S.L.").

During the period of March 15 to November 1 of each year when the Siltcoos Lake level is rising due to excess of inflow over outflow and when said lake level reaches 8.0 M.S.L., the gates in the dam shall be opened or partially opened so as to pass all excess water and maintain lake level at 8.0 M.S.L.; if the lake level continues to rise above 8.0 M.S.L., all gates shall be completely opened and shall not be closed until the lake level has again fallen to 8.0 M.S.L. During said period when the lake level is falling and reaches 8.0 M.S.L., the gates in the dam shall be partially closed as necessary to maintain lake level at 8.0 M.S.L. as nearly as may be possible while an outflow of not less than 50 cfs at low tide is maintained. Of the 50 cfs, not less than 12.5 cfs shall be discharged through the fish ladder.

The level of Siltcoos Lake shall not be lowered below elevation 3.0 M.S.L. Insofar as possible while maintaining the authorized diversion of 12.42 cfs and minimum flows in Siltcoos River, the lake level shall not be lowered below elevation 5.0 M.S.L. before September first. During September, October, and November, the outflow through Siltcoos River shall be increased in consultation with and agreement by ODFW or its successor with the objective of furnishing more than normal flows in the interest of anadromous fish and maintaining an open channel through the bar which forms at the mouth of the river; the lake will be lowered to elevation 6 M.S.L. during this three-month period. These dates may be temporarily modified based upon the interests of anadromous fish in consultation with the certificate holder and ODFW and agreement by ODFW that the proposed changes are in the interest of improving values for fish. Temporary modifications must maintain the Siltcoos diversion authorized under this certificate and minimum flows in the Siltcoos River. These dates may not be permanently modified except by order of the OWRD as follows.

The three previous provisions above shall be subject to review from time to time and may be modified by order of the OWRD or its successor in consultation with, and written agreement by, the ODFW or its successor that the modification is in the

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WATER RESOURCES DEPT
SALEM, OREGON

interest of improving values for fish. OWRD may issue an order approving modifications only after notice of the proposed changes in OWRD's weekly public notice and the certificate holder or proponent of the modifications has held a public meeting in the general vicinity of the Siltcoos and Tahkenitch lakes with an opportunity for public comment on the proposed changes. The certificate holder or proponent of the changes shall provide public notice of the public meeting in the form of publication in a local newspaper once a week for at least three weeks prior to the public meeting. Modifications may only be made as necessary or desirable in the interests of improving values for fish and recreation, provided that such order shall not reduce the quantity of water that the certificate holder may appropriate for beneficial use.

The certificate holder shall install and maintain adequate screens at the intakes to pumping plants in accordance with plans approved by ODFW or its successor.

The certificate holder shall maintain continuous daily records of lake elevations referred to mean sea level and shall furnish such records to the OWRD or its successor at the close of each month and at such other times as requested by OWRD.

The certificate holder shall install and maintain in accordance with plans approved by the OWRD or its successor a continuous water stage recorder on Siltcoos River within the first quarter mile below the dam.

The certificate holder shall install and maintain a totalizing flow meter at times of actual diversion at the point(s) of diversion from Siltcoos Lake. The totalizing flow meter must be installed and maintained in good working order as identified in OAR 690-507-0645. The certificate holder shall maintain continuous daily records of the rate of diversions and shall furnish records showing the rate and duty of diversions to the OWRD or its successor at the close of each year and at such other times as requested by the OWRD or its successor.

All or a portion of the storage of waters of Siltcoos Lake under this certificate for manufacturing purposes may be transferred from manufacturing use to aquatic life, fish and wildlife, and/or recreation that is compatible with aquatic life, fish and wildlife, use only, provided the new certificate(s) contains the conditions contained in this certificate.

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Such transfers must be consistent with the process and limitations contained in ORS chapter 540 and applicable administrative rules.

WITNESS the signature of the Water Resources Director, affixed
MARCH 31, 2004.

Paul R. Cleary

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APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

[Cert. No.80658]

THIS CERTIFICATE ISSUED TO

INTERNATIONAL PAPER COMPANY
GARDINER MILL
P.O. BOX 854
GARDINER, OR 97441

confirms the right to store the waters of TAHKENITCH CREEK, a tributary of PACIFIC OCEAN, in TAHKENITCH LAKE RESERVOIR, appropriated under Permit 26724, for MANUFACTURING.

The right to store these waters was perfected under Reservoir Permit R-2342. The date of priority is AUGUST 3, 1955 FOR 11,000 ACRE-FEET (AF) AND NOVEMBER 9, 1955 FOR 5,580 AF. The amount of water entitled to be stored each year under this right is not more than 16,580 AF.

The dam is located as follows:

TAHKENITCH DAM: LOT 2 (NE 1/4 NW 1/4), SECTION 29, TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

The area inundated by the reservoir is located within:

SW 1/4
SW 1/4 SE 1/4
SECTION 14

S 1/2 S 1/2
SECTION 15

SE 1/4 SE 1/4
SECTION 16

NE 1/4 NE 1/4
S 1/2 NE 1/4
SE 1/4
SECTION 21

N 1/2
SW 1/4

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WATER RESOURCES DEPT
SALEM, OREGON

NW 1/4 SE 1/4
SECTION 22
TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

R-30179

Certificate Number
80658

PAGE 2

N 1/2 NW 1/4
SW 1/4 NW 1/4
SW 1/4 SW 1/4
SECTION 23

SE 1/4 NE 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
SECTION 24

NE 1/4
SE 1/4 NW 1/4
E 1/2 SW 1/4
SW 1/4 SW 1/4
W 1/2 SE 1/4
SECTION 25

SW 1/4 NE 1/4
W 1/2 NW 1/4
SE 1/4 NW 1/4
SW 1/4
S 1/2 SE 1/4
SECTION 26

ALL
SECTION 27

E 1/2
S 1/2 NW 1/4
NW 1/4 SW 1/4
S 1/2 SW 1/4
SECTION 28

E 1/2 NE 1/4
SW 1/4 NE 1/4
E 1/2 NW 1/4
E 1/2 SE 1/4

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APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 29

NE 1/4 NE 1/4
SECTION 32

E 1/2
N 1/2 NW 1/4
SE 1/4 NW 1/4
SECTION 33

N 1/2 NE 1/4
SW 1/4 NW 1/4
W 1/2 SW 1/4
SECTION 34

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.
R-30179

Certificate Number
80658

PAGE 3

N 1/2
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 35

N 1/2 NW 1/4
SW 1/4 NW 1/4
SECTION 36

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

NW 1/4 NE 1/4
N 1/2 NW 1/4
SECTION 2

NE 1/4 NE 1/4
S 1/2 NE 1/4
W 1/2
N 1/2 SE 1/4
SECTION 3

NE 1/4
E 1/2 NW 1/4
N 1/2 SE 1/4
SE 1/4 SE 1/4
SECTION 4

TOWNSHIP 21 SOUTH, RANGE 12 WEST, W.M.

RECEIVED

APR 13 2004

WATER RESOURCES DEPT.
SALEM, OREGON

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

The dam constructed in Tahkenitch Creek shall be a gated structure so designed that when the gates are fully opened or removed the water passage areas shall be approximately equal to the areas and dimensions of the channel at the dam site as they existed prior to dam construction. The floor elevation of the structure is and shall remain at or near the bottom elevation of the channel at the dam site as it existed prior to dam construction. The dam shall include a fish ladder designed to pass fish upstream or downstream at any time when the gates of the dam are closed and at such times said ladder shall carry not less than 12.5 cubic feet per second of water. The ladder shall be constructed and maintained in accordance with plans approved by the Oregon Department of Fish and Wildlife ("ODFW") or its successor. Plans and specifications for the dam shall be approved by OWRD or its successor.

The gates in the Tahkenitch dam shall be fully opened on November first of each year and shall remain open until April first or until Tahkenitch Lake level has fallen to elevation 15.4 M.S.L.

During the period April 1 to November 1 of each year when the lake level is rising due to excess of inflow over outflow and when said lake level reaches 15.4 M.S.L., the gates in the dam shall be opened or partially opened so as to pass all excess water and maintain lake level at 15.4 M.S.L. If the lake level continues to rise above 15.4 M.S.L., all gates shall be completely opened and shall not be closed until the lake level has again fallen to 15.4 M.S.L. During said period when the lake level is falling and reaches 15.4 M.S.L., the gates in the dam shall be partially closed as necessary to maintain lake level at 15.4 M.S.L. as nearly as may be possible while an outflow of not less than 20 cfs is maintained. Of the 20 cfs, not less than 12.5 cfs shall be discharged through the fish ladder.

The level of Tahkenitch Lake shall not be lowered below elevation 8.0 M.S.L. Insofar as possible while maintaining the authorized diversion of 26.30 cfs and minimum flows in Tahkenitch Creek, the lake level shall not be lowered below elevation 10.0 M.S.L. before September first. During September and October the outflow through Tahkenitch Creek shall be increased in consultation with and upon agreement by ODFW or its successor with the objective of furnishing more than normal flows in the interest of anadromous fish and maintaining an open channel.

The three previous provisions above shall be subject to review from time to time and may be modified by order of the OWRD or its successor in consultation with, and written agreement by, the ODFW or its

RECEIVED

APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

successor that the modification is in the interest of improving values for fish. OWRD may issue an order approving modifications only after notice of the proposed changes in OWRD's weekly public notice and the certificate holder or proponent of the modifications has held a public meeting in the general vicinity of the Siltcoos and Tahkenitch lakes with an opportunity for public comment on the proposed changes. The certificate holder or proponent of the changes shall provide public notice of the public meeting in the form of publication in a local newspaper once a week for at least three weeks prior to the public meeting. Modifications may only be made as necessary or desirable in the interests of improving values for fish and recreation, provided that such order shall not reduce the quantity of water that the certificate holder may appropriate for beneficial use.

The certificate holder shall install and maintain adequate screens at the intakes to pumping plants in accordance with plans approved by ODFW or its successor.

The certificate holder shall maintain continuous daily records of lake elevations referred to mean sea level and shall furnish such records to the OWRD or its successor at the close of each month and at such other times as requested by OWRD.

The certificate holder shall install and maintain in accordance with plans approved by the OWRD or its successor a continuous water stage recorder on Tahkenitch Creek if ordered by the OWRD or its successor.

The certificate holder shall install and maintain a totalizing flow meter at the point(s) of diversion from Tahkenitch Lake. The totalizing flow meter must be installed and maintained in good working order as identified in OAR 690-507-0645. The certificate holder shall maintain continuous daily records of the rate of diversions and shall furnish records showing the rate and duty of diversions to the OWRD or its successor at the close of each year and at such other times as requested by the OWRD or its successor.

All or a portion of the storage of waters of Tahkenitch Lake under this certificate for manufacturing purposes may be transferred from manufacturing use to any other use, including but not limited to storage of water for fish and wildlife and/or recreation provided the new certificate(s) contains the conditions contained in this certificate.

Such transfers must be consistent with the process and limitations contained in ORS chapter 540 and applicable administrative rules.

WITNESS the signature of the Water Resources Director, affixed March 31, 2004.

RECEIVED

APR 13 2004

WATER RESOURCES DEPT
SALEM, OREGON

Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 80658.

R-30073.SB

RECEIVED

APR 13 2004

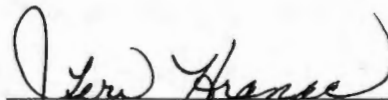
WATER RESOURCES DEPT
SALEM, OREGON

I hereby certify that on April 13, 2004, I served the FINAL ORDER INCORPORATING SETTLEMENT AGREEMENT by mailing first-class mail in a sealed envelope, with postage prepaid, a copy thereof addressed as follows:

David E. Filippi
Stoel Rives
900 S.W. Fifth Avenue, Suite 2600
Portland, OR 97204

Karen Russell
WaterWatch
213 SW Ash, Suite 208
Portland, OR 97204

Karl G. Anuta
Sokol & Anuta
735 SW First Ave
Portland, OR 97204



Teri Hranac

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the matter of Certificates 80656,)
80657 and 80658 in the name of)
International Paper Company)

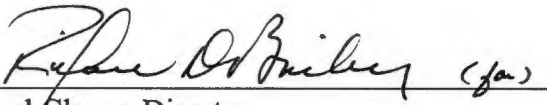
ORDER ON CERTIFICATE
ISSUANCE

This is an order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within 60 days of the date this order is served, as specified by ORS 183.484(2).

The Oregon Water Resources Department issued Certificates 79195, 79196 and 79197 in the name of International Paper Company, Gardiner Mill on February 15, 2002. Although a contest was filed to those certificates, the certificates were not canceled in the manner provided in ORS 537.260. As a result, those certificates are considered conclusive evidence of the priority and extent of the appropriation described in those certificates, pursuant to ORS 537.270.

The attached certificates supersede certificates 79195, 79196 and 79197. These remaining certificates include modifications that diminish the rights contained in the original certificates and impose additional terms and conditions on the use of water, as requested by the certificate holder. Any new contest to these remaining certificates shall be limited solely to these modifications and shall otherwise be subject to the provisions contained in ORS Chapter 537.

DATED this 13 day of April, 2004.



Paul Cleary, Director
Oregon Water Resources Department

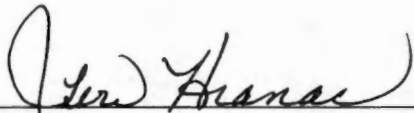
CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2004, I served the attached ORDER ON CERTIFICATE ISSUANCE by mailing first-class mail in a sealed envelope, with postage prepaid addressed as follows:

David E. Filippi
Stoel Rives
900 S.W. Fifth Avenue, Suite 2600
Portland, OR 97204

Karen Russell
WaterWatch
213 SW Ash, Suite 208
Portland, OR 97204

Karl G. Anuta
Sokol & Anuta
735 SW First Ave
Portland, OR 97204



Teri Hranac

STATE OF OREGON
COUNTIES OF LANE AND DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

INTERNATIONAL PAPER COMPANY
GARDINER MILL
P.O. BOX 854
GARDINER, OR 97441

confirms the right to store the waters of SILTCOOS RIVER, a tributary of PACIFIC OCEAN, in SILTCOOS LAKE RESERVOIR, appropriated under Permit 26724, for MANUFACTURING.

The right to store these waters was perfected under Reservoir Permit R-2341. The date of priority is JUNE 20, 1955. The amount of water entitled to be stored each year under this right is not more than 15,070 ACRE-FEET.

The dam is located as follows:

SILTCOOS DAM: LOT 4 (SW 1/4 NE 1/4), SECTION 33, TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

The area inundated by the reservoir is located within:

S ½ SW 1/4
SECTION 19

NW 1/4
SECTION 30
TOWNSHIP 19 SOUTH, RANGE 11 WEST, W.M.

S ½ SE 1/4
SECTION 23

SW 1/4 SW 1/4
SECTION 24
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

S ½ NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
S ½ SW 1/4
SE 1/4

SECTION 25

E ½

S ½ NW 1/4

SW 1/4

SECTION 26

E ½ SE 1/4

SECTION 27

N ½ NE 1/4
SW 1/4 NE 1/4

SECTION 33

E ½

N ½ NW 1/4

SE 1/4 NW 1/4

SECTION 34

ALL

SECTION 35

N ½

SW 1/4

NW 1/4 SE 1/4

SECTION 36

TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

N ½ SW 1/4
SW 1/4 SW 1/4

SECTION 6

NW 1/4 NW 1/4

SECTION 7

TOWNSHIP 20 SOUTH, RANGE 11 WEST, W.M.

N ½ NW 1/4
SW 1/4 NW 1/4

SW 1/4

W ½ SE 1/4

SE 1/4 SE 1/4

SECTION 1

ALL

SECTION 2

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

NE 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
SECTION 3

NE 1/4
SECTION 10

W 1/2 NE 1/4
N 1/2 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
W 1/2 SE 1/4
SECTION 11

NE 1/4
NW 1/4 NW 1/4
SECTION 12

NW 1/4 NE 1/4
SECTION 14

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

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

The dam constructed in Siltcoos River shall be a gated structure so designed that when the gates are fully opened or removed the water passage areas shall be approximately equal to the areas and dimensions of the channel at the dam site as they existed prior to dam construction. The floor elevation of the structure is and shall remain at or near the bottom elevation of the channel at the dam site as it existed prior to dam construction. The dam shall include a fish ladder designed to pass fish upstream or downstream at any time when the gates of the dam are closed and at such times said ladder shall carry not less than 12.5 cubic feet per second of water. The ladder shall be constructed and maintained in accordance with plans approved by the Oregon Department of Fish and Wildlife ("ODFW") or its successor. Plans and specifications for the dam shall be approved by OWRD or its successor.

The gates in the Siltcoos dam shall be fully opened on November first of each year and shall remain open until April first of the following year, or until Siltcoos Lake level has fallen to elevation 8.0 mean sea level ("M.S.L.").

During the period of March 15 to November 1 of each year when the Siltcoos Lake level is rising due to excess of inflow over outflow and when said lake level reaches 8.0 M.S.L., the gates in the dam shall be opened or partially opened so as to pass all excess water and maintain

lake level at 8.0 M.S.L.; if the lake level continues to rise above 8.0 M.S.L., all gates shall be completely opened and shall not be closed until the lake level has again fallen to 8.0 M.S.L. During said period when the lake level is falling and reaches 8.0 M.S.L., the gates in the dam shall be partially closed as necessary to maintain lake level at 8.0 M.S.L. as nearly as may be possible while an outflow of not less than 50 cfs at low tide is maintained. Of the 50 cfs, not less than 12.5 cfs shall be discharged through the fish ladder.

The level of Siltcoos Lake shall not be lowered below elevation 3.0 M.S.L. Insofar as possible while maintaining the authorized diversion of 12.42 cfs and minimum flows in Siltcoos River, the lake level shall not be lowered below elevation 5.0 M.S.L. before September first. During September, October, and November, the outflow through Siltcoos River shall be increased in consultation with and agreement by ODFW or its successor with the objective of furnishing more than normal flows in the interest of anadromous fish and maintaining an open channel through the bar which forms at the mouth of the river; the lake will be lowered to elevation 6 M.S.L. during this three-month period. These dates may be temporarily modified based upon the interests of anadromous fish in consultation with the certificate holder and ODFW and agreement by ODFW that the proposed changes are in the interest of improving values for fish. Temporary modifications must maintain the Siltcoos diversion authorized under this certificate and minimum flows in the Siltcoos River. These dates may not be permanently modified except by order of the OWRD as follows.

The three previous provisions above shall be subject to review from time to time and may be modified by order of the OWRD or its successor in consultation with, and written agreement by, the ODFW or its successor that the modification is in the interest of improving values for fish. OWRD may issue an order approving modifications only after notice of the proposed changes in OWRD's weekly public notice and the certificate holder or proponent of the modifications has held a public meeting in the general vicinity of the Siltcoos and Tahkenitch lakes with an opportunity for public comment on the proposed changes. The certificate holder or proponent of the changes shall provide public notice of the public meeting in the form of publication in a local newspaper once a week for at least three weeks prior to the public meeting. Modifications may only be made as necessary or desirable in the interests of improving values for fish and recreation, provided that such order shall not reduce the quantity of water that the certificate holder may appropriate for beneficial use.

The certificate holder shall install and maintain adequate screens at the intakes to pumping plants in accordance with plans approved by ODFW or its successor.

The certificate holder shall maintain continuous daily records of lake elevations referred to mean sea level and shall furnish such records to the OWRD or its successor at the close of each month and at such other times as requested by OWRD.

The certificate holder shall install and maintain in accordance with plans approved by the OWRD or its successor a continuous water stage recorder on Siltcoos River within the first quarter mile below the dam.

The certificate holder shall install and maintain a totalizing flow meter at times of actual diversion at the point(s) of diversion from Siltcoos Lake. The totalizing flow meter must be installed and maintained in good working order as identified in OAR 690-507-0645. The certificate holder shall maintain continuous daily records of the rate of diversions and shall furnish records showing the rate and duty of diversions to the OWRD or its successor at the close of each year and at such other times as requested by the OWRD or its successor.

All or a portion of the storage of waters of Siltcoos Lake under this certificate for manufacturing purposes may be transferred from manufacturing use to aquatic life, fish and wildlife, and/or recreation that is compatible with aquatic life, fish and wildlife, use only, provided the new certificate(s) contains the conditions contained in this certificate.

Such transfers must be consistent with the process and limitations contained in ORS chapter 540 and applicable administrative rules.

WITNESS the signature of the Water Resources Director, affixed April 13, 2004.


Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 80657.

R-30073.SB

Mailing List for Certificate

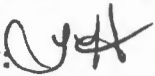
Mailing Date: 4/13/2004

Application -
Permit -
Certificate 80656, 80657, 80658

✓ Permit/Certificate Holder:

International Paper Company
Gardiner Mill
P.O. Box 854
Gardiner, OR 97441

C/o David Filippi, Steel Rives

Copies Mailed By:  (STAFF) on: <u>4/13/2004</u> (DATE)

Copies of Final Certificate to be sent to:

- ✓1. Watermaster #15:
- ✓2. Data Center
- ✓3. Water Availability

Other persons to receive copies:

- ✓ Vault
- ✓ Karen Russell, WaterWatch of Oregon
- ✓ Karl G. Anuta

Water Rights Information Query Results

Owner/Contact	Application	Permit	Certificate	Decree	Claim	Transfer	Status
INTERNATIONAL PAPER CO.; GARDINER MILL PO BOX 854 GARDINER OR 97441 (details)	R30073	R2341	79196				CN
INTERNATIONAL PAPER CO.; GARDINER MILL PO BOX 854 GARDINER OR 97441 (details)	R30073	R2341	80657				NC

Page:1

Download [Place of Use Data](#), [Point of Diversion Data](#), or [Owner Data](#)

[Definition of codes and abbreviations](#)

[Return to the Water Right Information search screen](#)



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

FEBRUARY 15, 2002

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Steve Brown at (503) 378-8455, extension 263.

Front Page of Certificate 79195, 79196 & 79197.

M:\groups\wr\forms\certperm
original to certificate holder, copy to file

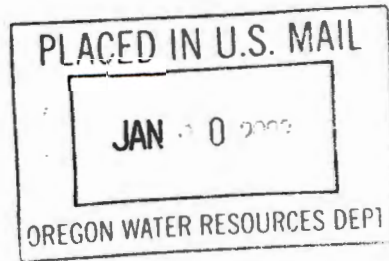


Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us



NOTICE

Enclosed is a proposed certificate of water right and a map which illustrates the location of the right. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a survey and inspection.

If you do not agree with the proposed certificate or the map, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate and map no response to this notice is required. Sometime after the 60 day period, the recorded certificate of water right will be mailed to you.

If you have any questions please contact Steve Brown at (503) 378-8455, extension 263.

STATE OF OREGON
COUNTIES OF LANE AND DOUGLAS
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

INTERNATIONAL PAPER COMPANY
GARDINER MILL
P.O. BOX 854
GARDINER, OR 97441

confirms the right to store the waters of SILTCOOS RIVER, a tributary of PACIFIC OCEAN, in SILTCOOS LAKE RESERVOIR, appropriated under Permit 26724, for MANUFACTURING.

The right to store these waters was perfected under Reservoir Permit R-2341. The date of priority is JUNE 20, 1955. The amount of water entitled to be stored each year under this right is not more than 15,070 ACRE-FEET.

The dam is located as follows:

SILTCOOS DAM: LOT 4 (SW 1/4 NE 1/4), SECTION 33, TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

The area inundated by the reservoir is located within:

S 1/2 SW 1/4
SECTION 19

NW 1/4
SECTION 30
TOWNSHIP 19 SOUTH, RANGE 11 WEST, W.M.

S 1/2 SE 1/4
SECTION 23

SW 1/4 SW 1/4
SECTION 24

S 1/2 NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
S 1/2 SW 1/4
SE 1/4
SECTION 25
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

E 1/2
S 1/2 NW 1/4
SW 1/4
SECTION 26

E 1/2 SE 1/4
SECTION 27

N 1/2 NE 1/4
SW 1/4 NE 1/4
SECTION 33

E 1/2
N 1/2 NW 1/4
SE 1/4 NW 1/4
SECTION 34

ALL
SECTION 35

N 1/2
SW 1/4
NW 1/4 SE 1/4
SECTION 36

TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

N 1/2 SW 1/4
SW 1/4 SW 1/4
SECTION 6

NW 1/4 NW 1/4
SECTION 7

TOWNSHIP 20 SOUTH, RANGE 11 WEST, W.M.

N 1/2 NW 1/4
SW 1/4 NW 1/4
SW 1/4
W 1/2 SE 1/4
SE 1/4 SE 1/4
SECTION 1

ALL
SECTION 2

NE 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
SECTION 3

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

NE 1/4
SECTION 10

W 1/2 NE 1/4
N 1/2 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
W 1/2 SE 1/4
SECTION 11

NE 1/4
NW 1/4 NW 1/4
SECTION 12

NW 1/4 NE 1/4
SECTION 14

TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.

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

Abstract of Permit No. R-2341

Application No. R-30073

Certificate No.

Name

International Paper Company

Address

P. O. Box 1649
Mobile, Alabama

Source of water supply

Siltcoos River, to be appropriated under application No. 29820, permit No. 26724 for manufacturing.

Use

Construct Siltcoos Lake Reservoir and store water from Siltcoos River.

Point of diversion

DAM LOCATED: Section 33, T. 19 S., R. 12 W., W.M., in the counties of Lane and Douglas.

Number of acres

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
19 S	11 W						<u>RESERVOIR LOCATED</u>											
20 S	12 W																	

Priority date

June 20, 1955

Amount of water

15,070 acre feet

Time limit to begin construction

June 30, 1961

Time limit to complete construction

10/1/63 extended to

extended to

Time limit to completely apply water

extended to

extended to

Remarks:

J. M. h

Weenah

Basin Vol. 3

Oregon Water Resources Department



State of Oregon
 Water Resources Department
 158 12th Street NE, Salem, OR 97310
 1(800)624-3199 • (503)378-8455
 www.wrd.state.or.us

Fax Transmittal

TO: DAVE MUSTONEN
 FAX: 503-736-2000 DATE: 12-5-2000 PAGES: 5
 FROM: RESEARCH DIV 201
 COMMENTS: _____

FILES IN POSSESSION OF
BOB RICE

BOB RICE **IMPORTANT MESSAGE**

FOR	<u>MON 20201</u>	DATE	<u>12-4</u>	TIME	<u>255</u>	A.M. P.M.
M.	<u>DAVE MUSTONEN</u> ⊗					
OF	<u>R 30073</u>	<u>R 30179</u>	✓ PHONED			
PHONE	<input type="checkbox"/> FAX	<input type="checkbox"/> MOBILE	<u>(503)</u>	<u>-235-</u>	<u>5022</u>	RETURNED YOUR CALL
MESSAGE	<u>EXT 4699</u>		X PLEASE CALL			
	<u>PER#R 2341</u>	<u>PER#R 2342</u>	WILL CALL AGAIN			
	<u>NEED COPIES</u>		CAME TO SEE YOU			
	<u>PAYMENT ?</u>		<u>PROVIDE</u>			
SIGNED						Wants to SEE YOU

Top FORM 4006

IMPORTANT MESSAGE

FOR	<u>TUES 20201</u>	DATE	<u>12-5</u>	TIME	<u>133</u>	A.M. P.M.
M.	<u>DAVE M</u>					
OF	<u>FAX 503-736-2000 #2</u>		X PHONED			
PHONE	<input type="checkbox"/> FAX	<input type="checkbox"/> MOBILE	<u>(503)</u>	<u>-235-</u>	<u>5022</u>	RETURNED YOUR CALL
MESSAGE	<u>EXT 4699</u>		X PLEASE CALL			
	<u>R-2341</u>	<u>(Per.)</u>	<u>COPIES</u>			
	<u>R-2342</u>	<u>STORAGE</u>				
	<u>CH 2M HILL</u>					WANTS TO SEE YOU
SIGNED						

Top FORM 4006

- Water Rights & Adjudications
- Water Rights Information
 - Adjudications
 - Hydroelectric
 - Certificates/Final Proofs
 - Hearings/Contested Cases

Northwest Region

- District 16 Watermaster
- Transfers

FAX: 503-378-6203

pg 1



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

August 10, 2001

M. John Youngquist
Water Resources Consultant
827 SE Mosher
Roseburg, Oregon 97470

Reference: International Paper Company's Final Proof Survey
Application No.'s: R-30073, R-30179 and 29820
Permit No.'s: R-2341, R-2342 and 26724

Dear Mr. Youngquist:

Thank you for your letter of August 6, 2001, regarding the above referenced permits. Your request for deviance of the requirements of maps is approved. We will reserve the opportunity to review the final product to determine the adequacy of the map and supporting information.

Please feel free to contact me if you have any questions and I would be happy to address any concerns you may have.

Sincerely,

Steve Brown
Certificates





M. JOHN YOUNGQUIST
WATER RESOURCES CONSULTANT
827 SE MOSHER
ROSEBURG, OREGON 97470
PHONE/FAX: (541) 672-5692
Email: mjoywater@sorcom.com



August 6, 2001

Steve Brown
Oregon Water Resources Department
158 12th Street, NE
Salem, Oregon 97301

Re: International Paper Company's Final Proof Survey
Application No.: R-30073, R-30179 and 29820
Permit No.: R-2341, R-2342 and 26724

Dear Mr. Brown:

I am assisting on the final proof survey for the above noted permits in the name of International Paper Company. In essence, they are the final proof survey for the upper 10 feet of Siltcoos and Tahkenitch Lakes in Douglas and Lane Counties.

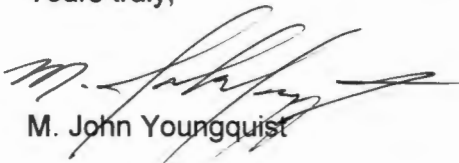
Purpose of this letter is to request a modification of the final proof mapping standards for these permits. I propose that the final proof maps be three 11" x 17" Mylar maps laid out as follows:

- Map 1 of 3: This map will show the location of the Siltcoos Dam, Tahkenitch Dam, Siltcoos Lake point of diversion, Tahkenitch Lake point of diversion and the place of use. This page will be at a scale of 1 inch = 1320 feet. This map will identify the affected tax lots.
- Map 2 of 3: This map will show Tahkenitch Lake, Tahkenitch Lake point of diversion and Tahkenitch Lake Dam. This page will be at a scale of 1 inch = 2640 feet. Individual tax lots around the lake will not be shown.
- Map 3 of 3: This map will show Siltcoos Lake, Siltcoos Lake point of diversion and the Siltcoos Lake Dam. This page will be at a scale of 1 inch = 2640 feet. Individual tax lots around the lake will not be shown.

The deviation of standards will be for pages 2 and 3. The lakes (reservoirs) will be shown at a reduced scale to accommodate the 11" x 17" paper for easy filing. Base map for the lakes will be Douglas and Lane County Assessor maps.

Please advise if this will be satisfactory. Please call me if you have any questions or need additional information.

Yours truly,


M. John Youngquist

RECEIVED
AUG 08 2001
WATER RESOURCES DEPT.
SALEM, OREGON

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

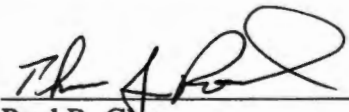
In the Matter of the Proposed Short-Term)	DETERMINATION and
Lease of Existing Water Rights for Instream)	FINAL ORDER ON
Use, Permit 26724, Douglas and Lane)	PROPOSED INSTREAM
Counties, Oregon)	LEASE

Short-term lease agreement number 165, which proposed to lease the stored water component of permit 26724 for instream purposes was submitted to the Department by:

Lessor
International Paper Company
77622 U.S. Highway 101
Gardiner, OR 97441

The lease will terminate on December 31, 2001. The Department concludes that the lease is consistent with the requirements of ORS 537.348 and OAR Chapter 690, Division 77. Therefore, it is ORDERED that the Short-Term Lease described herein is APPROVED.

Dated at Salem, Oregon this 18 day of December, 2000.



Paul R. Cleary
Director

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

S-47
R-30073
30179
29820

January 16, 1963

Mr. L. J. Compton
International Paper Company
Gardiner Paper Mill
Gardiner, Oregon

Dear Mr. Compton:

With reference to your letter of January 15, 1963, I have contacted the Fish and Game Commission by phone relative to their requirements for the screening of your pumps at Lakes Siltecoos and Tahkenitch.

Mr. Bert Carnegie of the Fish Commission stipulated the maximum allowable screen velocity at one foot per second through a 5 mesh screen made of 16 gage wire. Mr. George Kernan of the Game Commission also stipulated the 5 mesh screen made of 16 gage wire, however, he gave the maximum approach velocity as $1\frac{1}{2}$ feet per second, and stipulated no actual screen velocity. A check of the screen catalog indicates that a screen having this mesh and gage will have 46.9 per cent open area. This screen will no doubt need to be protected by a grizzly or some other type bar rack to keep large objects from tearing it, perhaps a log boom could be incorporated.

With reference to information concerning traveling screens, I suggest you contact the Portland representatives of the Link Belt Company or Chain Belt Company or the Jeffrey Company.

Mr. Carnegie advised me that the people in California had devised an artificial fish barrier which he referred to as a velocity barrier and further added that a description and design information could be found in the proceedings of the American Society of Civil Engineers, Power Division, Volume 64, No. P06, December 1958, Paper No. 1888.

I sincerely hope that this information will be of some value to you and do not hesitate to write if we can be of any further service to you or your organization.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By

A. M. Petska,
Engineer

AMP:ngb

251 FINANCE BUILDING
170 12TH STREET S.E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO 29820
FILE NO. R-30073
R-30179

July 7, 1961

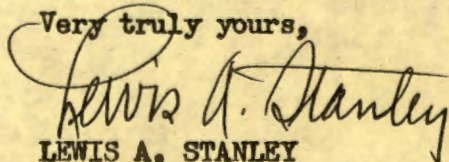
International Paper Co.
P. O. Box 1649
Mobile, Alabama

Gentlemen:

This acknowledges receipt of Form A, being notice of the beginning of construction under Permit Nos. 26724, R-2341 and R-2342.

The report has been filed with other matter pertaining to the permit, which is in good standing until October 1, 1963, when, under its terms, construction should be completed.

Very truly yours,



LEWIS A. STANLEY
State Engineer

Form 118

lf

R-30073
R-30179
29820

August 9, 1960

International Paper Company
P. O. Box 1649
Mobile, Alabama

Gentlemen:

Enclosed find applications numbers R-30073, R-30179 and 29820; permits numbers R-2341, R-2342 and 26724.

Your permits have been recorded in this office. You should hold the originals as evidence of your water right. If the property is sold an assignment to the new owner should be made and recorded in this office.

The permit, which appears on the last page of the application, fixes time limits for beginning of construction, completion of construction and complete application of water to beneficial use. The law requires that you begin actual construction work within one year from the date of issuance of the permit or your right will be lost. The State Engineer is authorized to extend the time for completion of construction and for complete application of water upon proper showing but has no authority to extend the time limit for beginning of construction.

Forms A, B and C are attached for your convenience in submitting (A) Notice of Beginning of Construction; (B) Notice of Completion of Construction; and (C) Notice of Complete Application of Water.

When complete application of water has been accomplished, Form C should be submitted. Thereafter, an inspection or survey will be made by the State Engineer and the permittee will be given opportunity to submit final proof of appropriation. When proof satisfactory to the State Engineer has been made, the right will be confirmed by issuance of a water right certificate. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

As soon as the final plans and specifications for the construction of the dams have been submitted and approved, copies of the approved plans will be mailed to you. Under the terms of

August 9, 1960

the special order of the State Engineer in the matter of your applications, construction work on the dams can not be commenced until the plans and specifications are submitted and approved by the State Engineer in writing.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler
Assistant

CIN:vaf

Enclosures

CC: Stoyanov and Johnson, Engineers
833 N. Shaver Street
Portland 17, Oregon

Jim

STOYANOV and JOHNSTON

engineers and consultants -- industrial plants

phone ATLantic 2-2376

833 north shaver street
portland 12, oregon

May 25, 1960

Oregon State Fish Commission,
1400 S.W. Fifth Avenue,
Portland, Oregon.

Attention: Mr. Hay

RECEIVED
MAY 26 1960
STATE ENGINEER
SALEM, OREGON

Gentlemen:

We have sent you under separate cover drawings and charts covering the proposed arrangements of the headworks on Tahkenitch and Siltecos Lakes, and supporting information regarding the lake regulation.

On Monday, May 2nd, I met with Mr. Bullison and Mr. Summers of the Fish Commission, and Mr. Cochran of the Game Commission. At that time the following additions and alterations to the plans were requested.

1. Move the regulating weirs on the fish ladder to the center and run them to the bottom to facilitate flushing.
2. Fence or protect bank side of ladder so as to prevent fish from jumping out of ladder.
3. Provide locked stop log box with extra stop logs for fish ladder.
4. Provide walkway over fish ladder to facilitate handling of stop logs.

These additions and alterations are not included on the plans at present, but please be assured that they will be incorporated in the final submittal, with your approval.

Yours very truly,

TLJ

T. L. Johnston
STOYANOV and JOHNSTON

TLJ:es
cc to:

State Engineer - Att: Mr. Stanley ✓
International Paper Company - Att: Mr. Frank Coogan

January 21, 1960

U. S. Department of Agriculture
Forest Service
Siuslaw National Forest
Corvallis, Oregon

Attention Mr. Rex W. Wakefield

Gentlemen:

Re: No. 5670

In reply to your letter of January 19 regarding the proposed control levels of Siltcoos and Tahkenitch Lakes that would be maintained upon completion of the project described by applications numbered R-30073 and R-30179 in the name of International Paper Company, the following information has been taken from plans received from the International Paper Company.

Siltcoos Lake: The proposed dam is to be located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 19 South, Range 12 West, W.M.

Tahkenitch Lake: The proposed dam is to be located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 20 South, Range 12 West, W.M.

	<u>Elevation</u>	<u>Surface Area</u>
Siltcoos Lake:	low Water 3.1 M.S.L.	2980 acres
	dam height of water 8.0 M.S.L.	3685 acres
	high water (100 year flood) 13.8 M.S.L.	4285 acres
Tahkenitch Lake:	Low water 7.9 M.S.L.	1597 acres
	dam height of water 15.4 M.S.L.	2507 acres
	high water (100 year flood) 20.4 M.S.L.	2720 acres

The diversion of water from Siltcoos Lake would be accomplished by a pumping station to be located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 20 South, Range 12 West, W.M., and the proposed diversion from Tahkenitch Lake would be accomplished by a pumping station to be located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 21 South, Range 12 West, W.M.

U. S. Department of Agriculture

2

January 21, 1960

The proposed place of use for the water diverted from the lakes is within the SW $\frac{1}{4}$ of Section 15, Township 21 South, Range 12 West, W.M.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:eh

R-30073
R-30179
29820

February 15, 1960

Charles W. and Theda C. Peterson
Westlake
Oregon

Dear Sir and Madam:

This will acknowledge the sworn statement of C. W.
and Theda C. Peterson dated February 10, 1960, withdrawing
their protest against the approval of applications numbered
R-30073, R-30179 and 29820.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

JWC:lk
cc: International Paper Co.
Mobile, Alabama
cc: Stoyanov & Johnston
Consulting Engineers
833 North Shaver
Portland, Oregon

February 8, 1960

Mr. Walter G. Schroeder
County Extension Agent
Box 236
Florence, Oregon

Dear Mr. Schroeder:

In reply to your request of February 1, we are enclosing a copy of the notice of hearing in the matter of International Paper Companies applications to store and appropriate the waters of Siltcoos and Takkenitch Lakes for the manufacture of paper and pulp.

It is our understanding that the proposed controlled levels of the lakes would be maintained between the present natural winter level and the present natural summer low water level. The proposed controlled water levels are as follows:
Siltcoos Lake: Controlled low water 3.1 feet above mean sea level and controlled high water level 8.0 feet above mean sea level.
Takkenitch Lake: Controlled low water level 7.9 feet above mean sea level and controlled high water level 15.4 feet above mean sea level.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

JWC:lk
enc. 1

R-30073
30179
29820

February 2, 1960

Lower Umpqua Chamber of Commerce
Reedsport
Oregon

Attention: Mr. Orin B. Collier, Attorney

Gentlemen:

This will acknowledge receipt of two copies of the
Port Umpqua Chamber of Commerce resolution in regard to
International Paper Company's applications numbered R-30073,
30179 and 29820. The resolution will become a permanent
part of the files.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr.
Assistant

JWC:lk

* Reservoir Permit No. 2341

Application for a Permit to Construct a Reservoir and to Store for Beneficial Use the Unappropriated Waters of the State of Oregon

I, International Paper Co.
(Name of Applicant)

of P. O. Box 1649, Mobile
(Mailing Address)

State of Alabama, do hereby make application for a permit to construct the following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

If the applicant is a corporation, give date and place of incorporation Organized and existing under the laws of the State of New York

1. The name of the proposed reservoir is Siltcoos Lake

2. The name of the stream from which the reservoir is to be filled and the appropriation made is tributary of _____

3. The amount of water to be stored is 15,070 acre feet.

4. The use to be made of the impounded water is manufacturing
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. See enclosed map
(Give sections or townships to be submerged)
Tp. 19 & 20 S., R. 11 & 12 W., W.M., in the county of Lane and Douglas

(a) State whether situated in channel of running stream and give character of material at outlet

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give name and dimensions

6. The dam will be located in _____, Sec. 33,
(Smallest legal subdivision)
Tp. 19 S., R. 12 W., W.M. The maximum height will be 10 feet above stream bed or ground surface on center line of dam. The length on top will be 130 feet; length on bottom 130 feet; width on top steel sheet piling; slope on front or water side vertical; slope on back vertical; height of dam above water line when full 0 feet.
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)

* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

Copy

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: Dam will be constructed of steel sheet piling driven on an arc to maintain tension on piling. Downstream face will be provided with rock fill to prevent erosion of bottom by water coming over spillway.

8. The location of wasteway with dimensions are as follows: Spill will take place over the top of the dam for the width of the stream during high water. (State whether over or around the dam)

9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: 5' x 5' Gate located in face of dam, and 8' wide Fish Ladder with regulating baffles. (All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

10. The area submerged by the proposed reservoir, when full, will be 3585 acres, with a maximum depth of water of 10 feet; and approximate mean depth of water aff. 15 feet. mean storage depth

11. The estimated cost of the proposed work is \$ 100,000.00

12. Construction work will begin on or before

13. Construction work will be completed on or before

International Paper Co. (Signature of applicant)

/s/ Alex Stoyanov

STATE OF OREGON,

ss.

County of Marion,

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before December 31, 1959 October 7, 1959.

WITNESS my hand this 6th day of July, 19 59. 5th day of October 1959

Lewis A. Stanley

STATE ENGINEER

By /s/ James W. Carver, Jr.

ASSISTANT

Remarks: This application is for the purpose of establishing priority rights to construct a dam on the outlet of Siltcoos Lake. Plans for the dam and surveys of the areas to be submerged by the proposed reservoir will be submitted at a later date.

Enclosed with this permit is a map showing the drainage basin and approximate location of the dam.

Crest of proposed Structure would be at elevation 8 ft. above m.s.l.

High storage level to be a crest of dam.

Proposed low lake water level to remain unchanged at elevation 3.1 ft. above m.s.l.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of Siltcoos Lake Reservoir and storage of water from Siltcoos River to be appropriated under application No. 29820, permit No. 26724 for manufacturing and the dam shall be constructed under the supervision of a registered professional engineer.

This permit is issued subject to the terms and conditions of the order of the State Engineer dated June 28, 1960 and recorded on Pages 403 to 420, Volume 10, Special Order Record, and by reference made a part hereof.

The right hereunder shall be limited to the storage of 15,070 acre feet.

The priority date of this permit is June 20, 1955

Actual construction work shall begin on or before June 30, 1961 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1963...

WITNESS my hand this 30th day of June, 1960

/s/ Lewis A. Stanley STATE ENGINEER

Application No. R-30073

Reservoir Permit No. R-2341

PERMIT

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 20th day of June, 1955, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

June 30, 1960

Recorded in Book No. 119 of Reservoirs, on Page 2341

Lewis A. Stanley

State Engineer

Drainage Basin No. _____ page _____

Fees 94³⁴

STATE OF OREGON
FARMERS UNION
75% COTTON
DIBBY

Copy

Application for Permit

RECEIVED
JUL 1 1955
STATE ENGINEER
SALEM, OREGON

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

4. The points of diversion for each Lake are located as follows:

Lake Woahink The point of diversion is located 2,000 ft. on a line bearing N. 3 degrees 30 minutes W. from the S.E. corner of Section 22, T. 19S., R. 12W., W.M. in Lane County.

Lake Siltcoos The point of diversion is located 2,240 ft. on a line bearing N. 32 degrees 15' W. from the S.E. corner of Section 11, T. 20S., R. 12W., W.M. in Douglas County.

Lake Tahkenitch The point of diversion is located 1,293 ft. on a line bearing N. 22 degrees 53'E. from the S.W. corner of Section 3, T. 21S., R. 12W., W.M. in Douglas County.

5. For the waterway from Lake Woahink to Lake Siltcoos we intend to utilize the existing stream, which is about 5,600 ft. in length and terminates at Lake Siltcoos in the S.E. 1/4 Section 27, T. 19S., R. 12W., W.M.

The waterway from Lake Siltcoos to Lake Tahkenitch will consist of a pipe line from the pumping station on Lake Siltcoos which will discharge to a small creek leading to Lake Tahkenitch beyond the high point between the two lakes. The pipe line to be 4500 ft. in length and to terminate beyond the high point between Lake Siltcoos and Lake Tahkenitch in the N.W. 1/4 Section 14 T. 20S., R. 12W., W.M. From this point the creek will convey the water to Lake Tahkenitch. Creek terminates at the northern tip of Lake Tahkenitch in Section 14 T. 20S., R. 12W., W.M.

The waterway from Lake Tahkenitch to the site of the Gardiner Division of the Long-Bell Lumber Company will consist of a pipe line from the pumping station at Lake Tahkenitch to the surge reservoir, and a pipe line from the surge reservoir to the plant site at Gardiner. The pipe line from Lake Tahkenitch to the surge reservoir will be 9,400 ft. in length, terminating in the N.W. 1/4 Section 15, T. 21S., R. 12W., W.M. at the surge reservoir. The surge reservoir will have a capacity of 3,000,000 gallons, and will be located at the highest point of the pipe line in the N.W. 1/4 Section 15, T. 21S., R. 12W., W.M. Pipe line from the surge reservoir to the Gardiner Division of the Long-Bell Lumber Company's site will be 3,900 ft. in length and will connect to the supply main of the Gardiner Division of The Long-Bell Lumber Company in the S.E. 1/4 Section 15, T. 21S., R. 12W., W.M.

The proposed location of all waterways, reservoir, pumping stations and diversion points are shown on the accompanying maps.



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8453

November 3, 1983

Leo O'Mara
PO Box 148
West Lake, OR 97493

Re: Files 29820, 30409 & R-30073

Dear Mr. O'Mara:

Your letter regarding water rights on Siltcoos Lake in the name of Champion - International has been referred to me by the Governors Office.

Our records show that Long - Bell Lumber Company submitted applications 29820, 30409 & R-30073 in 1955. These applications were assigned to International Paper Company in 1956. Permit R-2341 was issued in 1960 authorizing the construction of Siltcoos Lake Reservoir and storage of 15,070 acre-feet of water for manufacturing purposes. Permit 26724 was also issued in 1960 authorizing the appropriation of 49.07 cfs from Siltcoos Lake, Siltcoos Lake Reservoir and Tahkenitch Lake Reservoir for manufacturing purposes. These permits are in good standing.

If you have any further questions, please contact me or John Drolet, Watermaster in Coos County.

Sincerely,

Larry W. Jebousek, Administrator
Water Rights Division

LWJ:cle
cc: John Drolet



STATE OF OREGON
STATE ENGINEER
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO
FILE NO. R-30073 &
R-30179

October 27, 1964

Internation Paper Company
Gardiner Paper Mill
P. O. Box 854
Gardiner, Oregon
Gentlemen:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. R-2341 and R-2342.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

CHRIS L. WHEELER
State Engineer

PRECIPITATION ANALYSIS

- * Lake Discharge August 4 to October 6 Average = 572 Acre Ft.
- + Drop in Lake Elevation August 4 to October 6 = 4"
- Approx. Area of Lake @ 7.9^o M.S.L. = 1600 Acres
- 4" drop on 1600 Acres = 534 Acre Feet

Evaporation based on Fern Ridge Reservoir
from August 4 to October 6 = 12.06"

$$\frac{12.06 \times 1600}{12} = 1610 \text{ Acre Ft.}$$

Lake Discharge + Evaporation - Precipitation Gain = Equivalent of Drop in Lake Elev.

Lake Discharge + Evaporation - Drop in Elevation = Precipitation Gain

$$\text{so: } 572 + \frac{(12.06 \times 1600)}{12} - 534 = \text{Precipitation Gain}$$

$$\text{then: Precipitation Gain} = 572 + 1600 - 534 = 1638 \text{ Acre Ft.}$$

o Actual Precipitation August 4 to October 6 = 1.59"

Total Drainage Area = 33.5 Square Miles

$$\text{so: } \frac{1.59}{12} \times 640 \times 33.5 = 2840 \text{ Acre Ft.}$$

$$\text{then: } \frac{1638}{2840} = 57.6\% \text{ of total precipitation is effective at Lake as runoff}$$

* Gage by installing weir in outlet.

+ As measured by Crown-Zellerbach gage.

o Canary Weather Station.

Correction for Precipitation

Driest 5 months on record occurred
from June 1 to November 1, 1936

Total Precipitation = 3.93"

Using 57.6% of Precipitation as run off producing

Precipitation effective in producing run off = $0.578 \times 0.393 = 2.27''$

Then: 2.27 on 33.5 sq. mi. = $\frac{2.27}{12} \times 640 \times 33.5 = 4050$ Acre Ft.

Then: $\frac{4050}{137.5} = 30$ Days Additional Storage

Then: Storage with no replacement = 112 Days
Storage equivalent of Precipitation = 30 "

TOTAL STORAGE between 7.9 and 15.4 M.S.L. = 142 Days

October Precipitation required to balance Lake losses during this month

October Lake Losses

1. Pumping 49.07 cfs	=	97.0	Acre Ft./day
2. Fish Ladder	=	12.4	" "
3. Minnow Gate	=	5.0	" "
4. Evaporation @ 2.58"	=	<u>11.1</u>	" "
Total Losses	=	125.5	" "
Make up from Siltcoos	=	<u>12.4</u>	" "
Actual Loss	=	113.1	" "

$$113 \times 31 \text{ days} = 3500 \text{ Acre Ft.}$$

Then $\text{Precipitation in ft.} \times 0.576 \times 640 \times 33.5 = 3500$

$$P = \frac{3500}{0.576 \times 640 \times 33.5} = 0.288''$$

and

$$0.288 \times 12 = 3.46''$$

In 27 years only 1936 with 0.58"
1944 " 3.31"
1945 " 1.90"
1952 " 1.65" had less than 3.46" of rain in October.

Of these years the combined rain in September and October was:

1936	1.45"
1944	5.32"
1945	5.56"
1952	2.85"

Thus, only 1936 of the 27 years would bring the lake to or below elevation 7.9'

See following pages for 1936 calculations.

COMMISSIONERS:

JOHN C. VEATCH, CHAIRMAN, PORTLAND
ROBERT L. JONES, CLIFTON
DON C. ELLIS, GARIBALDI



STATE OF OREGON
FISH COMMISSION OF OREGON
307 STATE OFFICE BLDG., 1400 S. W. 5TH AVENUE
PORTLAND 1

July 8, 1955

RECEIVED
OCT 7 1955
STATE ENGINEER
SALEM, OREGON

Mr. Alex Stoyanov
833 N. Shaver
Portland, Oregon

Dear Sir:

This letter is in regard to the plans for a dam on the outlet of Siltcoos Lake dated June 15, 1955. These are the plans which your firm has prepared for the Long Bell Company in connection with their proposal to secure water from Siltcoos Lake for an operation at Gardiner, Oregon.

We have examined these plans and believe that the fishway in the dam as planned is adequate to pass the fish runs at that point. It meets the requirements of the State of Oregon in this respect.

We would like to point out that the operation and maintenance of this fishway, if the dam is built, is the responsibility of the owners and operators. While state representatives will inspect the facilities from time to time and will assist in operation as they are reasonably able, the primary responsibility for operation will remain with the company.

This letter is not intended to imply that the Oregon Fish and Game Commissions accept and approve the proposed diversion, or conversely to express objection. We are concerned that, after project construction, sufficient flows may not exist from the lakes to the sea to permit safe and efficient passage of fish. At present, it is not entirely clear what conditions will obtain.

Very truly yours,

P. W. Schneider
P. W. SCHNEIDER, DIRECTOR
STATE GAME COMMISSION

M. T. Hoy
M. T. HOY
STATE FISHERIES DIRECTOR

August 12, 1955

Donna Timber Products Co.
P. O. Box 668
Eugene, Oregon

Attention: Mr. E. H. Robbins

Gentlemen:

In response to your letter of recent date, The Long-Bell Lumber Company has now filed a companion reservoir to their Application No. 29820.

The reservoir Application No. R-30073 is for the construction of a regulatory dam at the outlet of Siltecoos Lake. The application has not as yet been completed; however, preliminary information filed is to the effect that the summer level of the lake normally reaches a low water mark of 3.1 feet m.s.l. and they desire to maintain the lake level of 8 feet m.s.l. during the early part of the summer.

They have further advised that the regulated lake level will be approximately six feet below the high water level and that it will not inundate or affect private lands. They could not trespass or inundate private lands without first obtaining a right of way from the owner regardless of whether or not a State Engineer's permit is issued.

If you desire to file a protest against these applications you should so do as explained in the Rules and Regulations of the State Engineer.

It is planned to hold a public hearing to afford any protestants an opportunity to present their protests before approving the applications. I would suggest that if you desire to file a protest that you do so within the next two weeks as we have been advised that Long Bell intends to complete their applications in the very near future.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

June 23, 1955

Mr. T. E. Heppenstall,
Vice President
The Long-Bell Lumber Company
Longview, Oregon

Dear Mr. Heppenstall:

This will acknowledge receipt of your application for a permit to construct a dam on the outlet of Siltcoos Lake and store therein approximately 21,000 acre feet of water for manufacturing and check in the amount of \$31, for which our Receipt No. 4041 is enclosed.

The application has been examined, given File No. R-30073 and is being held pending receipt of the completed map and plans for the construction of the dam.

Mr. Alex Stoyanov was in the office yesterday to discuss this filing and requested that I clarify the policy of the State Engineer in regard to ORS 537.150.

It has been the policy of this office to allow individuals to file an application which contains sufficient information to define its limits and given them a reasonable length of time in which to complete their plans and obtain sufficient data to complete the filing. If the filing is not completed within a reasonable length of time the application is endorsed and returned to the applicant, allowing him not less than 30 days time in which to complete and return the application in order to retain its date of priority.

We would also return an application for completion, so endorsed, if a subsequent appropriator should file a completed application for a permit to appropriate the same waters and a possible interference with priorities existed. In this respect, however, the 30 days time would date from its endorsement and return to the applicant and not from the date of filing the application.

Very truly yours,

LEWIS A. STANLEY, State Engineer

By
Chris L. Wheeler, Assistant

CJW:eh
enc.

ESTABLISHED 1875

The Long-Bell Lumber Company

LONGVIEW, WASHINGTON

June 17, 1955

Mr. Lewis A. Stanley
State Engineer
State Office Building
Salem, Oregon

RECEIVED
JUN 20 1955
STATE ENGINEER
SALEM, OREGON

Dear Mr. Stanley:

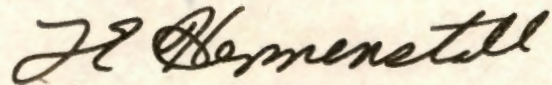
We are submitting our application for a permit to construct a reservoir by building a dam on the outlet of Siltcoos Lake.

Enclosed is one reproducible and two prints showing the Siltcoos drainage area and the approximate dam location.

Our contour map to determine the flooded area is not yet complete. However, we are submitting the application at this time in order to establish our priority. The additional maps and drawings required for the application will be processed as quickly as possible and submitted in the near future.

We are enclosing a check for \$31.00 to cover the filing fees, based on the reservoir holding 21,000 acre feet.

Very truly yours,



T. E. Heppenstall
Vice President

TEH:IH
Enc.
cc - Alex Stoyanov

R-30073
29820

June 21, 1955

Miss Celia Kerrigan
Ada, Oregon

Dear Miss Kerrigan:

This will acknowledge receipt of your protest against the approval of Application Numbers R-30073 and 29820 in the name of The Long-Bell Lumber Company and remittance in the amount of \$2, for which our Receipt No. 4044 is enclosed.

Application No. R-30073 is for a permit to construct a dam and store water in Siltcoos Lake and Application No. 29820 is for a permit to appropriate 22.0 second-feet of water from Woshink, Siltcoos and Tahkenitch Lakes.

The plans to accompany the reservoir application have not as yet been filed and it is not contemplated they will be completed before the middle of July.

As soon as the plans for the reservoir are completed, the matter will be set for a hearing before the State Engineer and you will be advised as to the time and place so that you may have an opportunity to appear and present your protest and any evidence which you have on the matter.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:eh
enc.

June 21, 1955

Mr. and Mrs. Edmond W. Miles
Ada, Oregon

Dear Mr. and Mrs. Miles:

This will acknowledge receipt of your letter of June 16 protesting the approval of Application No. 29820 in the name of The Long-Bell Lumber Company, Gardiner Division, and remittance in the amount of \$2 for which our Receipt No. 4038 is enclosed. This application is for a permit to appropriate 22.0 second-feet of water from Washink, Siltcoos and Tahkenitch Lakes.

One of the requirements of filing a formal protest is that a copy of it be served upon the protestee. Your protest may be completed if you will serve a copy of it on the Long-Bell Lumber Company and furnish this office with an affidavit to the effect that the copy has been served and the method of service.

The Long-Bell Lumber Company has filed their application for a permit to construct a dam and store water in Siltcoos Lake, which application has been designated as No. R-30073. However, they have not as yet submitted plans to accompany the application and it is not contemplated that the application will be completed before the middle of July.

As soon as the plans for the reservoir application are completed, the matter will be set for a hearing before the State Engineer and you will be advised as to the time and place so that you may have an opportunity to appear and present your protest and any evidence which you have on the matter.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:sh
enc.

LAKE SILTCOOS

Storage and Low Water Calculations

1. Lake Area @ 3.1' contour = 2980 Acres
 Lake Area @ 8.0' contour = 3685 Acres

2. Total Drawdown

- | | | | | | |
|------------------------------|-------------|--|--|--|---------------------|
| 1. Fish ladder | 12.4 cfs | | | | = 24.6 Acre Ft./Day |
| 2. Minnow Gates | 2.5 cfs | | | | = 5.0 " " |
| 3. Evaporation @ 6.25' Month | (0.20"/Day) | | | | = 35.5 " " |
| 4. Pumping @ 12.4 cfs | | | | | = <u>24.6</u> " " |
| Total Drawdown | | | | | = 89.7 " " |

150 Days x 89.7 Acre Ft. = 13,450 Acre Ft. of Storage Required
 with no replacement

Average area of Lake between 3.1 and 8.0' Contours = 3332 Acres

$\frac{13,450 \text{ Acre Ft.}}{3,332 \text{ Acres}} = 4.04 \text{ ft. of storage required for 5 months run}$
 with absolutely no replacement

REPLACEMENT (See Tahkenitch figures)

Driest 5 months in 27 years occurred in 1936

Precipitation:	June	1.40"
	July	0.91"
	Aug.	0.19"
	Sept.	0.85"
	Oct.	<u>0.58"</u>
		3.93"

then: $\frac{0.576 \times 3.93}{12} \times 64.5 \times 640 = 7,650 \text{ Acre Ft.}$

13,450 - 7,650 = 5,800 Acre ft. of storage required for 5 months run

and $\frac{5800}{5} = 1160 \text{ Acre Ft. per month}$

and $\frac{1160}{3332} = 0.348' / \text{month}$

Lake levels based on this drop could be as follows:

June 1st	8.0'
July 1st	7.5'
Aug. 1st	7.0'
Sept 1st	6.5'
Oct. 1st	5.0'
Nov. 1st	4.5'

This would allow $4.5 - 3.1 = 1.4$ ft. of reserve storage or about 4200 Acre Ft. available for replenishing Tahkenitch late in the fall.

Monthly Rainfall necessary to meet total requirements with no loss in lake level assuming 57.6% of total precipitation on the drainage area reaches the Lake.

Water removal = 89.7 Acre Ft./Day
Water removal 30 days = 2700 Acre Ft.
Drainage Area = 64.5 Sq. Miles

$$64.5 \times 640 \times 0.576 = 2700$$

$$X = \frac{2700}{64.5 \times 640 \times 0.576} = 0.114''/\text{month}$$

or $.114 \times 12 = 1.36''/\text{month}$

Equivalents - 43,560 Sq. Ft./Acre
640 Acres/Sq. Mile



INTERNATIONAL PAPER COMPANY

GARDINER PAPER MILL

GARDINER, OREGON

97441

October 22, 1964

Mr. Chris L. Wheeler
State Engineer
Water Resources Department
516 Public Service Building
Salem, Oregon

RECEIVED
OCT 23 1964
STATE ENGINEER
SALEM, OREGON

Dear Mr. Wheeler:

We enclose herewith Form B, Notice of Completion of Construction, for both application No. R-30073 and R-30179 showing completion dates of February 13, 1964.

We appreciate very much your cooperation and assistance in this matter.

Yours very truly,

INTERNATIONAL PAPER COMPANY
GARDINER PAPER MILL

E. P. Stone
Agent

EPS/cr

Encl.



INTERNATIONAL PAPER COMPANY

GARDINER PAPER MILL

GARDINER, OREGON

June 4, 1963

Mr. Cris Wheeler
State Engineer
516 Public Service Bld.
Salem 10, Oregon



Dear Mr. Wheeler:

This is to advise that the contract for the construction of Tahkenitch and Siltcoos dams have been awarded to Tom Lillebo Construction Company in accordance with permit application Nos. R30073, R30179 and 29820.

Preparatory work for Lake Tahkenitch Dam is expected to begin on the week of June 3, 1963.

The contract was let based on the drawings and specifications by Johnson and Associates of which have been approved by your office on May 8, 1961.

I am enclosing a copy of our proposed work schedule for your information. If there are any questions or if any additional information is required, please advise.

Very truly yours,

INTERNATIONAL PAPER COMPANY
GARDINER PAPER MILL

E. P. Stone
Agent

LJC/cr

Encl.

cc: Mr. A. M. Petska
Mr. Tom Johnson
Mr. Russell Blosser
Mr. Frank Coogan
Mr. L. J. Compton

29820

December 24, 1973

Mr. William Jayne
Attorney at Law
P. O. Box 166
Reedsport, Oregon 97467

Dear Mr. Jayne:

This will acknowledge the application of Gardiner Paper Mill - International Paper Company - for an extension of the time limits in which to complete construction and make complete application of water under the terms of your permit No. 26724 and your check in the amount of \$10.00 for which our receipt No. 50570 is enclosed.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1980.

Sincerely,

Trevor Jones, Administrator
Water Rights Division

TJ:whh
Enclosure
cc: Gardiner Paper Mill

LAKE TAHKENITCH (Storage and Low Water Calculations)

Lake Area @ 15.4 contour	=	2,500 Acres
Drainage Area - including Lake	=	21,400 "
Drainage Area - excluding Lake	=	18,900 "
Lake Area @ 7.9 contour	=	1,597 "

Summer Lake Losses

1. Pumping 49.07 cfs	=	97.0 Acre Ft/day
2. Fish Ladder 12.40 cfs	=	24.6 " "
3. Minnow Gate 2.5 cfs	=	5.0 " "
(2050 Acres) 4. Evaporation @ 6.25"/month = 0.208"/day	=	<u>35.5</u> " "
See Sheet 5		
TOTAL SUMMER LOSS PER DAY	=	162.1 " "

Summer Inflow to Lake

1. 12.4 cfs from Lake Siltcoos	=	<u>24.6</u> Acre Ft/day
LOSSES - INFLOW	=	137.5 " "

Storage capacity between 15.4 and 7.9

$$\frac{2500 + 1597}{2} \times (15.4 - 7.9) = 15,400 \text{ Acre Ft.}$$

and $\frac{15,400}{137.5} = 112$ Days Storage through summer
taking no credit for
precipitation or other
inflow from natural causes

In 1952, when we surveyed Lake Tahkenitch as a source for a water supply, we suggested that a weir be installed below the existing Headworks to measure the flow. This was done in July of 1952 by Mr. Ritchie of The Long-Bell Lumber Company. Readings on this weir were recorded at intervals from July 9 to October 13, at which time the weir was removed at the request of the Oregon State Game Commission.

The following table shows the stream flows calculated from these weir readings and the relative lake elevations for some readings.

FLOW AND LAKE ELEVATIONS
for
TAHKENITCH CREEK IN 1952

<u>Date of Weir Reading</u>	<u>Stream Flow Cu.Ft./Sec.</u>	<u>Relative Lake Elevations</u>	<u>Remarks</u>
July 19	6.43	No reading	
July 26	6.25	No reading	
Aug. 4	6.59	Datum 0.00 ^o Gauge	
Aug. 11	5.87	- 0.75"	
Aug. 25	3.91	- 1.62"	(Trash in Spillway)
Sept. 2	4.72	- 2.75"	
Sept. 8	3.52	- 2.50"	
Sept. 15	4.23	- 2.25"	
Sept. 22	4.53	- 3.00"	
Oct. 6	3.91	- 4.00"	
Oct. 13	3.52	No reading	

On the following page we have integrated these readings between August 4 and October 6 to give the total discharge through the outlet for this period.

EVAPORATION INCHES - Fern Ridge Reservoir

YEAR	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943
Month																
June	4.58	5.60	5.02	5.57	4.05	4.16	4.97	8.42	8.05	8.05	6.52	4.92	5.91	6.63	5.32	
July	8.51	7.53	7.54	5.46	6.51	7.93	8.44	8.72	9.73	9.61	7.90	7.35	8.86	9.89	8.88	
Aug.	7.92	6.15	5.75	6.75	4.75	5.54	6.70	7.63	8.39	7.25	5.90	6.57	8.24	8.02	7.51	7.28
Sept.	4.62	4.97	4.36	3.78	3.30	4.04	5.32	5.00	4.92	4.60	5.13	4.53	4.76	5.21	5.20	6.16
Oct.	-	-	1.66	1.20	1.52	1.61	2.58	1.39	-	-	-	-	-	-	1.90	1.78
TOTAL	25.63	24.25	24.33	22.76	20.13	23.28	28.01	31.16	29.09	29.51	25.45	23.37	27.77	29.75	28.81	
AVERAGE	5.13	4.86	4.86	4.56	4.02	4.66	5.6	6.25	5.82	5.9	5.1	4.67	5.55	5.95	5.76	

November 2, 1971

G-200
29820
R-30073
R-30179

Siuslaw National Forest
P. O. Box 1148
Corvallis, Oregon 97330

Gentlemen:

I am enclosing copies of permits numbered G-1389, 26724, R-2341 and R-2342, two Special Orders of the State Engineer pertaining to International Paper Company filings and prints of two maps.

The time limit to complete the project under permit G-1389 has been extended to October 1, 1975. The storage of water under permits R-2341 and R-2342 has been completed but the use of water under permit 26724 has not. The time limit to complete the use of water under permit 26724 has been extended to October 1, 1975.

You may wish to get some information from the Division of State Lands, 502 Winter Street S.E., Salem, Oregon, 97310, concerning easements and/or enabling legislation for tide and overflow lands which belong to the state.

Also enclosed is a billing for the copying fees in connection with your Purchase Order No. 384-12-72.

Very truly yours,

Trevor Jones
Assistant

TJ:ds
Enclosures

*paid
11-19-71
Rec. No
26187*

29820
R-30073
R-30179

November 18, 1965

Mr. Edward P. Stone
Mill Agent
International Paper Company
Gardiner, Oregon

Dear Mr. Stone:

Pursuant to your request enclosed you will find
the copies of Permits 26724, R-2341 and R-2342. Also enclosed
is our bill in the amount of \$4.80 for copying fees.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones
Assistant

Enclosures
TJ:lja

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO R-30073 &
FILE NO. ~~R-30179~~

November 30, 1964

International Paper Company
Gardiner Paper Mill
P. O. Box 854
Gardiner, Oregon

Gentlemen:

This will acknowledge the notice of completion of construction under the terms of permit No. R-2341 and R-2342.

Under the provisions of the permit, the time limit for completion of the appropriation by accomplishing the authorized beneficial use of water to the full extent intended will expire October 1, 1965. (In the case of irrigation completion of the appropriation means at least one beneficial irrigation of all the land to be irrigated under the subject permit.)

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 119

PJ

29820
R-30073
R-30179

August 26, 1964

International Paper Company
P. O. Box 854
Gardiner, Oregon

Attention Mr. Dwight Ritchie

Gentlemen:

The dates for completion of construction under permits numbered R-2341 and R-2342 were extended to October 1, 1964.

If the reservoirs have been completed and the pumping facilities installed to appropriate water, as requested, the enclosed Form B's could properly be completed and returned to us.

The date for complete application under permit No. 26274 is October 1, 1965. If by that date your installation has not required full use of water, you could file an application for a further extension of time.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Trevor Jones, Assistant

TJ:eh

enclosures

29820
R-30073
R-30179

October 21, 1963

International Paper Company
Gardiner Paper Mill
P. O. Box 854
Gardiner, Oregon

Gentlemen:

This will acknowledge receipt of your letter of October 4 transmitting applications for extensions of time under permits numbered R-2341, R-2342 and 26724, and your check in the amount of \$6 for which our receipt No. 39913 is enclosed.

Your applications indicate reasonable diligence has been exercised toward completion of the project; therefore the time in which to complete construction under all three permits and the time in which to make complete application of water under permit No. 26724 is being extended to October 1, 1964.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
James W. Carver, Jr., Assistant

eh

enclosure



INTERNATIONAL PAPER COMPANY

GARDINER PAPER MILL

GARDINER, OREGON

October 4, 1963

*R 30179
R 30073
29820*

Office of the State Engineer
State of Oregon
Salem 10, Oregon

Attention: Mr. Perry, Assistant
State Engineer

RECEIVED
OCT - 7 1963
STATE ENGINEER
SALEM, OREGON

Gentlemen:

In accordance with Mr. Payne's telephone conversation with you, we are enclosing herewith application for extension of time with regards to the construction of our dams and water permit. We appreciate you forwarding us the necessary forms; however, since we have permits for two dams, we have made a copy of your form to be sure that we are sufficiently covered in our request.

We appreciate very much your cooperation and assistance in assisting us in this matter. For your information we show below the correct mailing address for the Gardiner Paper Mill.

International Paper Company
Gardiner Paper Mill
P.O. Box 854
Gardiner, Oregon

Please find enclosed our check for \$6.00 to cover permit fees.

Yours very truly,

INTERNATIONAL PAPER COMPANY
GARDINER PAPER MILL

E. P. Stone

E. P. Stone
Agent

EPS/cr

Encl.

*Ex to 64 both Res 2ndry
(cone) (cone)*

RECEIVED
OCT 1 1963

Application No. R-30179

I. P. Co. GARDINER MILL

Application for Extension of Time

RECEIVED
OCT - 7 1963
STATE ENGINEER
OREGON

To the State Engineer of Oregon:

We, Gardiner Paper Mill, of International Paper Company

state of Oregon, am the owner and holder of Permit No. R-2342, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before October 1, 1963, and complete application of water is required to be made on or before _____, 19____.

I have heretofore done the following work described under said permit during the past year: All excavation, concrete work and placement of sheet piling. In progress, placing riprap backfilling and equipment and gate installation.

and did the following work prior to last year: Survey work and the driving of some sheet pile.

costing \$ 102,980, and I estimate the cost of completion to be \$ 92,500

I have heretofore used water under said permit to the following extent: None

I am unable to { complete construction work } within the required time, for the following reasons, to wit: Poor delivery schedules of equipment and difficulties encountered due to sand slides.

(Strike out phrase not applicable)

reasons, to wit: Poor delivery schedules of equipment and difficulties encountered due to sand slides.

(If additional space is required, attach separate sheet)

(A fee of \$3.00 for each permit involved must accompany this application.)

(OVER)

39913
\$200
10/7/63

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
{ complete application of water } under said permit to December 31 , 19 63.
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon }
County of Douglas } ss.

I, E. P. Stone , being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

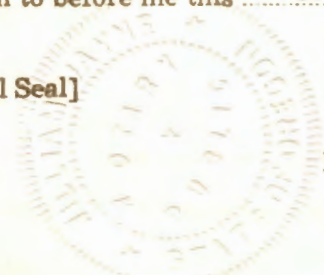
IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of October
....., 19 63.

E. P. Stone

E. P. Stone - Agent

Subscribed and sworn to before me this 3rd day of October , 19 63.

[Notarial Seal]



[Signature]
Notary Public for Oregon

My commission expires September 1, 1964

RECEIVED
OCT 1 1963

Application No. R-30073

L. P. Co. GARDINER MILL

Application for Extension of Time

RECEIVED
OCT - 7 1963
STATE ENGINEER
SALEM OREGON

To the State Engineer of Oregon:

We, I, Gardiner Paper Mill, of International Paper Company

state of Oregon, am the owner and holder of Permit No. R-2341, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before October 1, 1963, and complete application of water is required to be made on or before _____, 19____.

I have heretofore done the following work described under said permit during the past year: All excavation and driving of sheet piling. In progress the completion of concrete work and the placing of riprap

and did the following work prior to last year: Survey work and the driving of some sheet pile.

costing \$ 62,086, and I estimate the cost of completion to be \$ 139,000.

I have heretofore used water under said permit to the following extent: _____

I am unable to { complete construction work } within the required time, for the following reasons, to wit: Difficulties in delivery schedules and problems relating to Tahkenitch Dam delayed the construction schedule of the Siltcoos Dam as some construction equipment and materials are used at both projects.

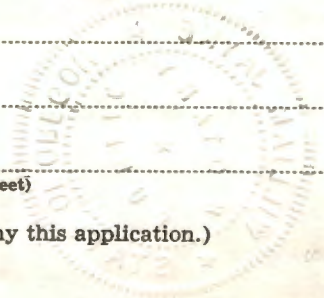
(Strike out phrase not applicable)

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

39913
#200
10/17/63



Application for Extension of Time

E. P. OF GARDNER MILL

Application for Extension of Time

To the State Engineer of Oregon:

Mc Gardner Paper Mill

Oregon

Under the terms and conditions of my permit...

Under the terms and conditions of my permit...

Made on my behalf...

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work } under said permit to December 31, 19 63.
{ complete application of water }
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

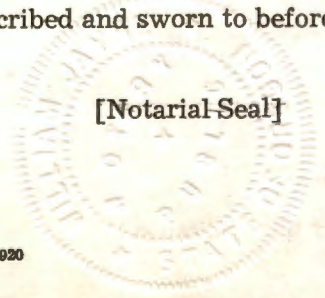
STATE OF Oregon
County of Douglas ss.

I, E. P. Stone, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of October, 1963.

E. P. Stone - Agent

Subscribed and sworn to before me this 3rd day of October, 19 63.



[Notarial Seal]

My commission expires September 1, 1964

RECEIVED
OCT - 7 1963
STATE ENGINEER
SALEM, OREGON

Application for Extension of Time

To the State Engineer of Oregon:

We

H, Gardiner Paper Mill, of International Paper Company

state of Oregon, am the owner and holder of Permit No. 26724, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before October 1, 1963, and complete application of water is required to be made on or before October 1, 1965.

I have heretofore done the following work described under said permit during the past year:

All piling for Pump Structures, Excavation and 60% of all concrete work

and did the following work prior to last year: Preliminary survey work and the driving of piling of both Siltcoos and Tahkenitch Dams.

costing \$ 51,000, and I estimate the cost of completion to be \$ 30,000

I have heretofore used water under said permit to the following extent:

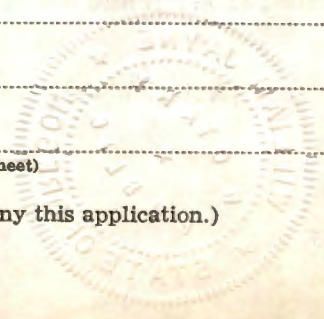
I am unable to { make complete application of water
complete construction work
make complete application of water } within the required time, for the following
(Strike out phrase not applicable)

reasons, to wit: Pump structures including equipment installation have been delayed due to construction difficulties of the dams as well as the pump stations

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)



39913
#200
10/7/63

Application for Extension of Time

To the State Engineer of Oregon

of the State of Oregon
in the county and holder of Permit No. _____

appropriate for the public waters of the state of Oregon

Under the terms and conditions of said permit, construction work is required to be completed on or

before _____ and complete application of water is required to be

made on or before _____

I have heretofore done the following work described under said permit during the term of

and filing for said structures, excavations and work of a concrete work

and did the following survey work and the filing of _____ Oct 1, 1965

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
{ complete application of water } under said permit to _____ October 1 _____, 19 65

(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF _____ Oregon }
County of _____ Douglas } ss.

I, _____ E. P. Stone _____, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ 3rd _____ day of _____ October _____, 19 63.

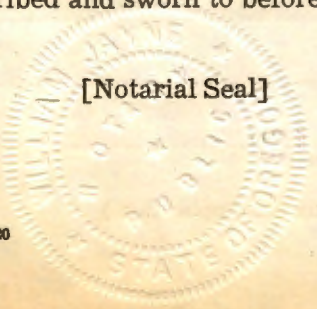
E. P. Stone

E. P. Stone - Agent

Subscribed and sworn to before me this _____ 3rd _____ day of _____ October _____, 19 63.

William Payne
Notary Public for Oregon
My commission expires _____ September 1, 1964

[Notarial Seal]



S-47
E-30179
E-30073
29820

MEMORANDUM OF INSPECTION

Tahkenitch and Siltecoos Dams

On June 20, 1963, accompanied by Dwight Ritchie of International Paper Company, an inspection was made of the work underway at these two dam sites.

At the Tahkenitch site the stream has been diverted through a corrugated metal pipe and excavation in the stream channel was underway. The water level in the excavation was approximately at the level of the proposed slab. The sides of the excavation showed considerable organic material to this depth. Only a small amount of water was flowing into the excavation so that drainage of ~~the~~ area should not pose too much of a problem.

At the Siltecoos site, the dam site has been cleared of brush and debris and at the time of the inspection an access road was being constructed from the highway to the site. Since the fish ladder at this site is on the left bank and extends to a rather steep dune, Mr. Ritchie was anticipating some problem with diversion of the stream since diversion will also have to be on the left bank. I told Mr. Ritchie that in order to facilitate diversion I could see no problem so far as this office was concerned with changing the plans and constructing the fish ladder on the right bank, but that this change would have to be approved by the Fish Commission. Mr. Ritchie was planning to study plans and see if this change appeared feasible.

By

Jerry W. Eggleston,
Assistant

June 13, 1963

International Paper Company
Gardiner Paper Mill
Gardiner, Oregon

Attention Mr. E. P. Stone

Gentlemen:

Thank you for your letter of June 4 and accompanying construction schedule sheet concerning additional construction on Tahkenitch and Siltcoos Dams.

Very truly yours,

CHRIS L. WHEELER
State Engineer

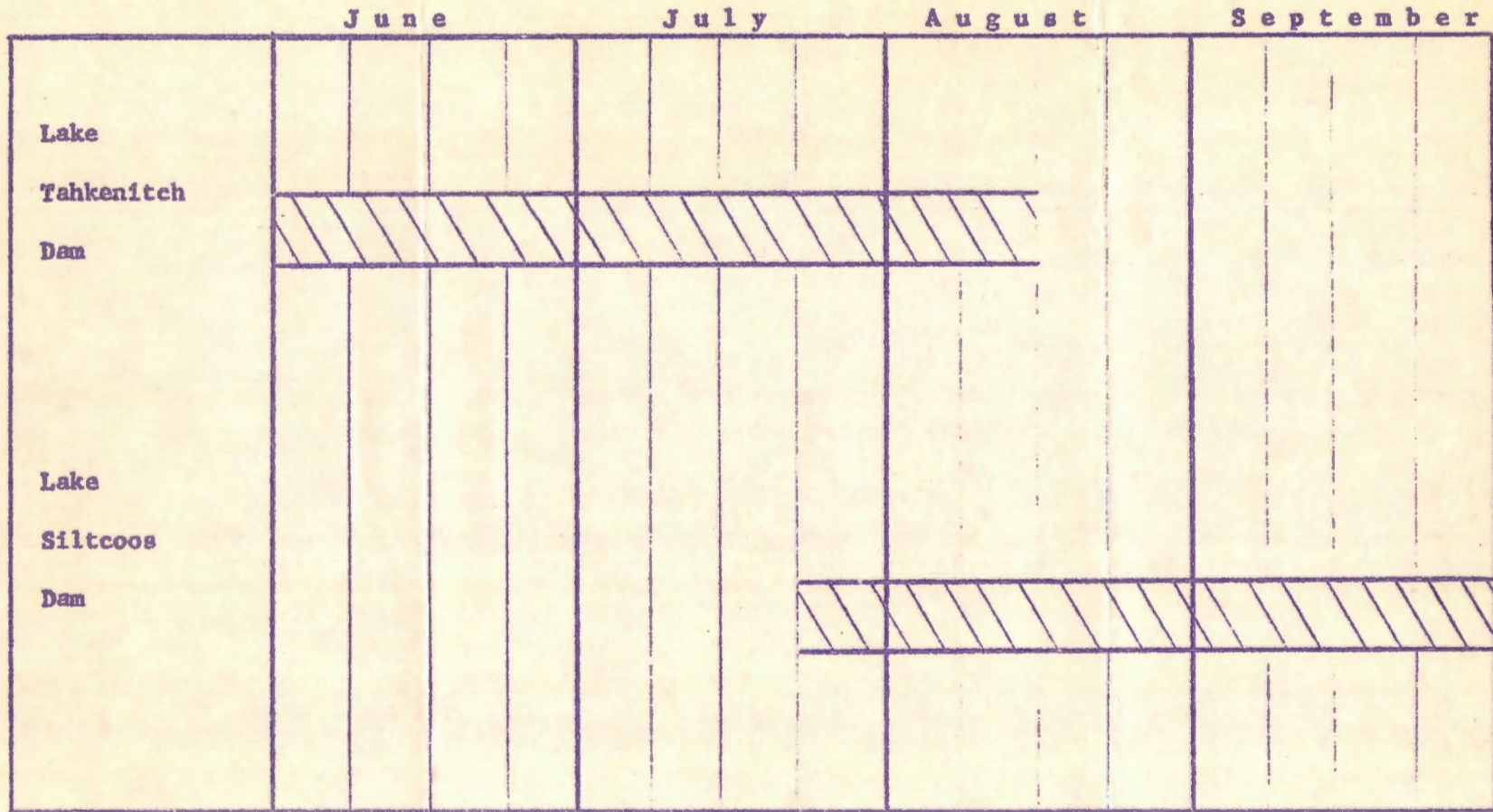
By
James W. Carver, Jr., Assistant

JWC:eh

RECEIVED
JUN 7 5 1963
STATE ENGINEER
SALEM, OREGON

DAM CONSTRUCTION ON LAKE TAHKENITCH AND LAKE SILTCOOS OUTLETS

CONSTRUCTION SCHEDULE



3
4
5

R-30073
R-30179
29820

January 12, 1960

Stoyanov and Johnston
Consulting Engineers
833 North Shaver
Portland, Oregon

Gentlemen:

In reply to your telephone request of January 11th I am enclosing a copy of the list of protestants in connection with the International Paper Company applications numbered R-30073, R-30179 and 29820.

With the exceptions of Martin and Reiser, each of the protestants has stated that a copy of his protest was mailed to Long-Bell Lumber Company.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:skh

Enc. 1

29820
R-30073
R-30179
32743
32744
32745

December 29, 1959

Harlan D. Shope
International Paper Company
P. O. Box 1649
Mobile, Alabama

Dear Mr. Shope:

This will acknowledge receipt of returned applications numbered R-30073, R-30179 and 29820, general plans for disposal of wastes for each of the three proposed plant sites which are located near Gardiner, Roseburg, and Chiloquin and the following listed reproducibles furnished to the State Engineer by the firm of Stoyanov and Johnston in connection with your filings:

Drawing No.

A	Map of Lake Tahkenitch Shore Line
B	Map of Lake Siltcoos Shore Line
C	Drainage Area for Siltcoos and Tahkenitch Lakes
D	100 Year Flood Hydrograph for Lake Tahkenitch
E	100 Year Flood Hydrograph for Lake Siltcoos
1A of 4	Location Plan of New Dam on Tahkenitch Creek
2A of 4	New Dam on Tahkenitch Creek
3 of 4	Fish Ladder at Headworks on Tahkenitch Creek
2 of 4 of 4	Miscellaneous Details Lake Tahkenitch and Siltcoos Dams
1A of 4	Location Plan for New Dam on Siltcoos River
2A of 4	New Dam on Siltcoos River
3A of 4	Fish Ladder at Headworks, Siltcoos River

Further action on your applications will be withheld pending a possible hearing as discussed with you during your visit to this office on December 14, 1959.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:bks

CC: Alex Stoyanov

29820
R30073
R30179

November 12, 1959

Mr. Alex Stoyanov
Engineer
833 North Shaver
Portland 13, Oregon

Dear Mr. Stoyanov:

With reference to application No. R-30073 and application No. R-30179 in the name of the International Paper Company, in addition to the other supporting data necessary to the completion of these applications as discussed in previous correspondence and during your visits to this office, it will also be necessary for you to prepare and submit maps of Tahkenitch Lake and of Siltcoos Lake showing the contours for the proposed minimum and maximum water levels in the lakes to result from operation of the proposed storage projects.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:eh

29820
30409
R-30073
R-30179
R-30408

October 5, 1959

Mr. Alex Stoyanov
Engineer
833 North Shaver
Portland 13, Oregon

Dear Mr. Stoyanov:

This will acknowledge the following items which were received from you during your visit to this office September 29:

The returned original copies of applications numbered R-30073, R-30408, R-30179, 30409 and 29820; the amended copy of application No. R-30179 which combines and supersedes the original copies of applications numbered 30179 and R-30408, and which describes the construction of a new control structure at the outlet of Tahkenitch Lake to result in the storage of 32,000 acre feet of water within Tahkenitch Lake for the purpose of manufacturing pulp and paper; and the amended copy of application No. 29820 which combines and supersedes the original copies of applications numbered 29820 and 30409, with the deletion of reference to the use of water from Washink Lake.

As was discussed with you in this office on September 29, the original copy of application No. R-30073 and the amended copies of applications numbered R-30179 and 29820 are herewith again returned to you for completion, being endorsed so that in order to retain their present dates of priority they must be returned to this office on or before December 31, 1959, accompanied by the completed plans and specifications for the control structures to be constructed at the outlet of Siltecoo and Tahkenitch lakes.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:eh
enclosures - 3
cc - International Paper Company

October 5, 1959

International Paper Company
P. O. Box 1649
Mobile 9, Alabama

Attention Mr. Harlan Shope

Gentlemen:

This will acknowledge your letter of September 23 advising this office that Mr. Alex Stoyanov, engineer from Portland, Oregon, has been instructed and authorized to submit and sign for International Paper Company, filings for the storage and appropriation of the waters of Siltcoos and Tahkenitch lakes.

A copy of our letter to Mr. Stoyanov in connection with these applications is enclosed.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:eh
enclosure

29820
32713
32714
32715

September 3, 1959

Port Umpqua Courier
151 Greenwood Avenue
Reedsport, Oregon

Attention Mr. William H. Tugman

Gentlemen:

In reply to your letter of August 27 regarding the International Paper Company's several applications for permits to appropriate water, there has been no change in the status of the applications.

I am withholding action on the three applications for permits to appropriate water from the Umpqua, North Umpqua and Willamson rivers pending the receipt of satisfactorily completed plans for the treatment and disposal of waste effluent.

The applications for permits for the storage and appropriation of the waters of Washink, Siltcoos and Tahkenitch lakes were returned to the International Paper Company by our letter of July 6, endorsed so that in order to retain their priority dates they will have to be completed and returned to this office on or before October 7, 1959.

Very truly yours,

LEWIS A. STAHLKE
State Engineer

JEG:ch

September 3, 1959

International Paper Company
P. O. Box 1649
Mobile, Alabama

Attention Mr. H. D. Shope

Gentlemen:

Our records show that we are still withholding action on the International Paper Company's applications numbered 32743, 32744 and 32745 for permits to appropriate water from the Umpqua, North Umpqua and Williamson rivers pending the receipt of the completed plans for the treatment and disposal of waste effluent from each of the proposed plants.

In reference to the preliminary statement regarding effluent disposal plans for the North Umpqua site near Roseburg, it is noted that you propose to employ 25 per cent of the dissolved oxygen content of the stream flow in the disposal operation. Any plans for disposal of waste on this basis will not be approved.

Unless plans for the treatment and disposal of effluent are actively carried toward satisfactory completion with reasonable diligence, it will be necessary to return your applications.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:eh

29820
R-30073
R-30179
R-30408-9

July 27, 1959

Mr. Dan P. Allen
Executive Secretary
Natural Resources Committee
318 State Capitol Building

Dear Mr. Allen:

The five following applications involving the waters of Washink, Siltecos and Tahkenitch lakes were filed in the name of Long Bell Lumber Company, and later on December 14, 1956, assigned to the International Paper Company.

Application No. 29820 was filed on November 9, 1955, for a permit to appropriate a total of 22.0 cubic feet per second from Washink, Siltecos and Tahkenitch Lakes for manufacturing.

Application No. R-30073 was filed June 20, 1955, for a permit to construct control structures on Siltecos Lake and thereby store 21,000 acre feet of water for manufacturing.

Application No. R-30179 was filed on August 3, 1955, for a permit to construct control structures on Tahkenitch and store therein 11,000 acre feet of water for manufacturing.

Application No. R-30408 was filed on November 9, 1955, for a permit to construct control structures on Tahkenitch Lake and store therein 21,000 acre feet of water for manufacturing.

Application No. 30409 was filed on November 9, 1955, for a permit to appropriate 30.0 cubic feet per second from Tahkenitch Lake for manufacturing.

On July 6, 1959, the five applications were returned to the International Paper Company for completion. Each application being endorsed so that in order to retain its present date of priority, it must be returned to this office on or before October 7, 1959.

Very truly yours,

LEWIS A. STANLEY, State Engineer

By
James W. Carver, Jr., Assistant

JWC:ch

29820
30409
R-30073
R-30179
R-30408

July 6, 1959

International Paper Company

P. O. Box 1077

Longview, Washington

Attention Mr. Harlan D. Shope, Engineer

Gentlemen:

In line with your request during your recent visit to this office, applications numbered, 29820, 30409, R-30073, R-30179 and R-30408, which were assigned to International Paper Company by Long-Bell Lumber Company, are enclosed for your convenience in their completion. In completing the applications you should give particular attention to the following.

Detailed plans and specifications must be submitted for each hydraulic structure that will be used to impound the waters of the lakes above the natural levels. I have forwarded, under separate cover, one print of each of the drawings submitted of the preliminary plans by the Long-Bell Lumber Company.

Application No. R-30073 should be amended to agree with the final plans and specifications.

Applications Numbered R-30179 and R-30408: It would appear that these two applications could be combined. The superseding application should be fully completed to agree with the final plans and specifications.

Applications Numbered 29820 and 30409: It would appear that these two applications could also be combined. The superseding copy should be completed accurately describing the proposed project. I believe that item 4 of the application should describe the location of each of the control dams to be constructed at the lakes outlets as well as the proposed points of pumping. A separate sheet may be used for this purpose. The completed applications for use of the water should also be accompanied by plans for effluent disposal.

International Paper Company

2

July 6, 1959

Each of the enclosed applications has been endorsed so that to retain its present date of priority, it must be returned to this office on or before October 7, 1959.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

James W. Carver, Jr., Assistant

JWC:eh
enclosures 5

29820
E-30073
E-30179
E-30108
30109

June 4, 1959

International Paper Company
P. O. Box 1619
Mobile, Alabama

Attention: Harlan D. Shope, Engineer

Gentlemen:

The following applications have been held without action since the date of their assignment to International Paper Company from the Long-Bell Lumber Company:

Application No. 29820 -- for a permit to appropriate 22.0 cubic feet per second from Washink, Siltcoos and Tahkenitch Lakes for manufacturing.

Application No. E-30073 -- for a permit to construct Siltcoos Lake Reservoir and store therein 21,000 acre feet for manufacturing.

Application No. E-30179 -- for a permit to construct Lake Tahkenitch Reservoir and store therein 11,000 acre feet for manufacturing.

Application No. E-30108 -- for a permit to construct Lake Tahkenitch Reservoir and store therein 21,000 acre feet for manufacturing.

Application No. 30109 -- for a permit to appropriate 30.0 cubic feet per second from Lake Tahkenitch for manufacturing.

During your visit to this office on the afternoon of March 31, 1959, you requested us to withhold action for an additional 60 days to allow you the opportunity to investigate whether or not the proposed project would be feasible within the near future.

We would appreciate if you would advise us whether you wish the applications returned to you for completion at this time or if you have decided to authorize withdrawal of the applications. If the applications are withdrawn, the recording fees submitted in the sum of \$193.00 will be refunded to International Paper Company.

Further action on these applications will be withheld for an additional 30 days from the date of this letter.

Very truly yours,
LEWIS A. STANLEY
State Engineer

By James W. Carver, Jr., Assistant

JWC:tkc

29820
R-30073
R-30179
R-30408
30409

MEMO

April 1, 1959

Mr. Harlan D. Shope of International Paper Company was in the office the afternoon of March 31, 1959, requesting that he be granted 60 days in which to make investigation of the above listed applications, assigned from the Long-Bell Lumber Company to the International Paper Company, at which time he will be prepared to either complete or withdraw the applications.

By

Walter N. Perry

WNP:bks

29820
R-30073
R-30179
R-30408
30409

April 3, 1958

International Paper Company
Gardiner, Oregon

Gentlemen:

The following applications have been held without action since the date of their assignment from the Long-Bell Lumber Company to enable you to clarify your plans for development:

Application No. 29820 — for a permit to appropriate 22.0 cubic feet per second from Woahink, Siltcoos and Tahkenitch Lakes for manufacturing.

Application No. R-30073 — for a permit to construct Siltcoos Lake Reservoir and store therein 21,000 acre feet for manufacturing.

Application No. R-30179 — for a permit to construct Lake Tahkenitch Reservoir and store therein 11,000 acre feet for manufacturing.

Application No. R-30408 — for a permit to construct Lake Tahkenitch Reservoir and store therein 21,000 acre feet for manufacturing.

Application No. 30409 — for a permit to appropriate 30.0 cubic feet per second from Lake Tahkenitch for manufacturing.

It will be appreciated if you will advise what your plans are in regard to these pending applications. Unless you expect to proceed with their development in the near future as planned by the Long-Bell Lumber Company, I believe the applications should be withdrawn. New applications could then be filed in the future in the event the project is reactivated.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:eh

24746
29820
R-30073
R-30179
R-30408
30409

December 17, 1956

Law Offices
McLean, Klingberg & Houston
1344 Fifteenth Avenue
Longview, Washington

Attention: Jerry A. Houston

Gentlemen:

This will acknowledge receipt of assignments of Application No. 24746, Permit No. 19664 from Gardiner Lumber Company to Long-Bell Lumber Company, Application No. 24746, Permit No. 19664 from Long-Bell Lumber Company to International Paper Company, Application Nos. 29820, R-30073, R-30179, R-30408, and 30409 from Long-Bell Lumber Company to International Paper Company, together with the recording fee in the amount of \$3.30 for which our receipt No. 9216 is enclosed.

The assignments have been recorded in Miscellaneous Records of the State Engineer and are enclosed.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:mb
enc. assignment forms, receipt

29820
R-30073

October 25, 1956

Mr. E. H. Robbins
Donna Timber Products Company
P. O. Box 668
Eugene, Oregon

Dear Mr. Robbins:

In response to your letter of October 23, the Long Bell Lumber Company has not taken any further action to secure a permit for the development as proposed in their application Numbers R-30073 and 29820 which is for the construction of the regulatory dam at the outlet of Siltcoos Lake.

The last correspondence we had with them did not indicate they had abandoned their project; however, I am not able at this time to advise you when they might attempt to complete the filings.

You may be able to obtain some information by writing to Mr. H. G. Kelsey, vice-president of the Long Bell Lumber Company, Longview, Washington.

The controlled lake level as proposed in their application is below the mean high water mark.

I am returning an envelope and letter which were apparently enclosed in error.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:eh
enclosures-2

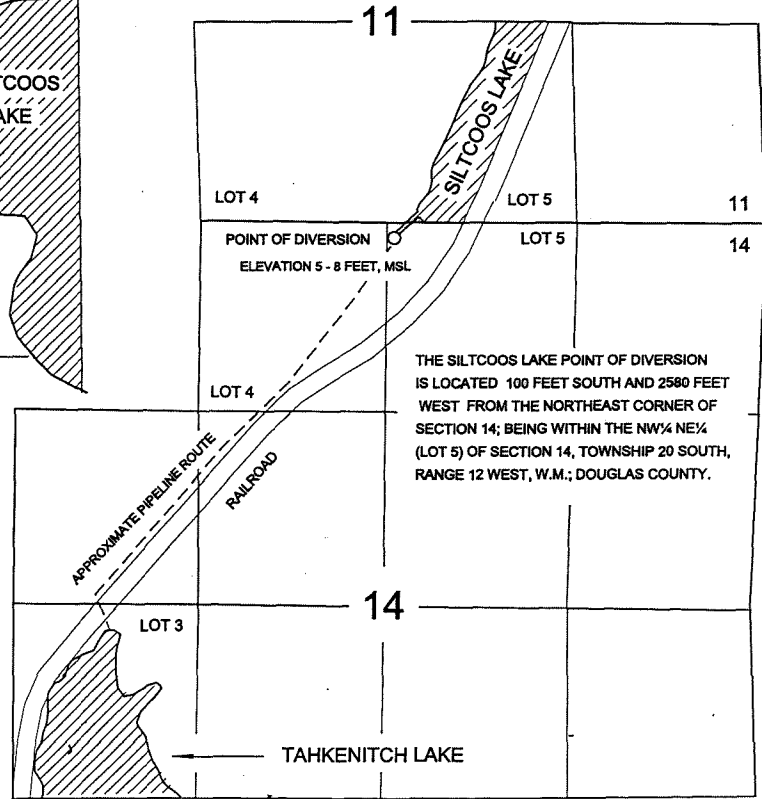
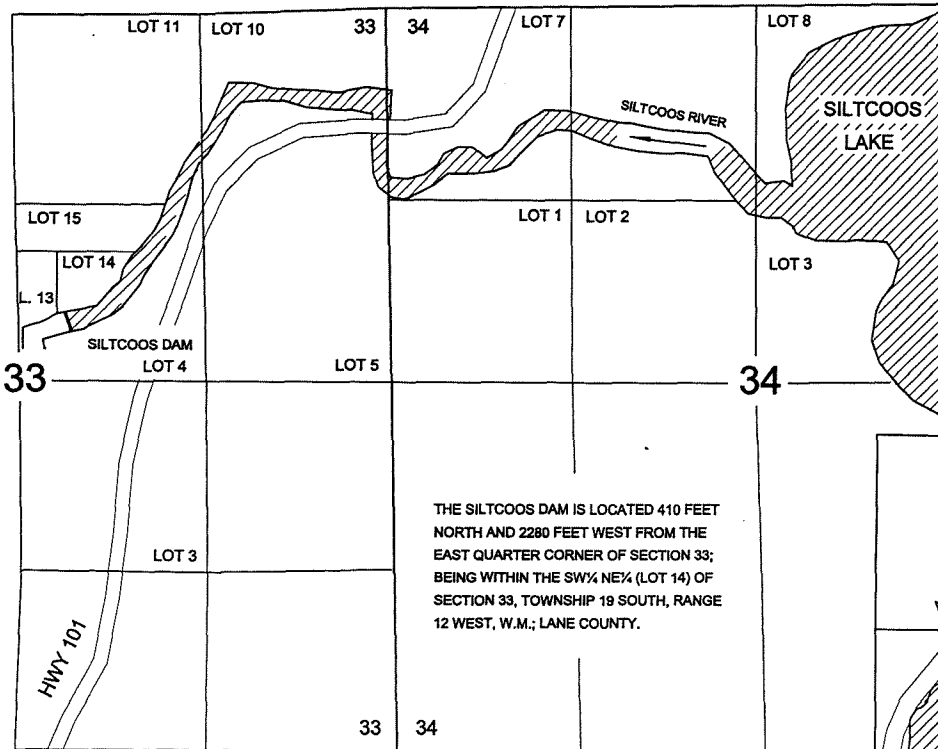
FINAL PROOF SURVEY MAP IN THE NAME OF INTERNATIONAL PAPER COMPANY MAP 1 OF 3

APPLICATION No.: R - 30073
R - 30179
29820

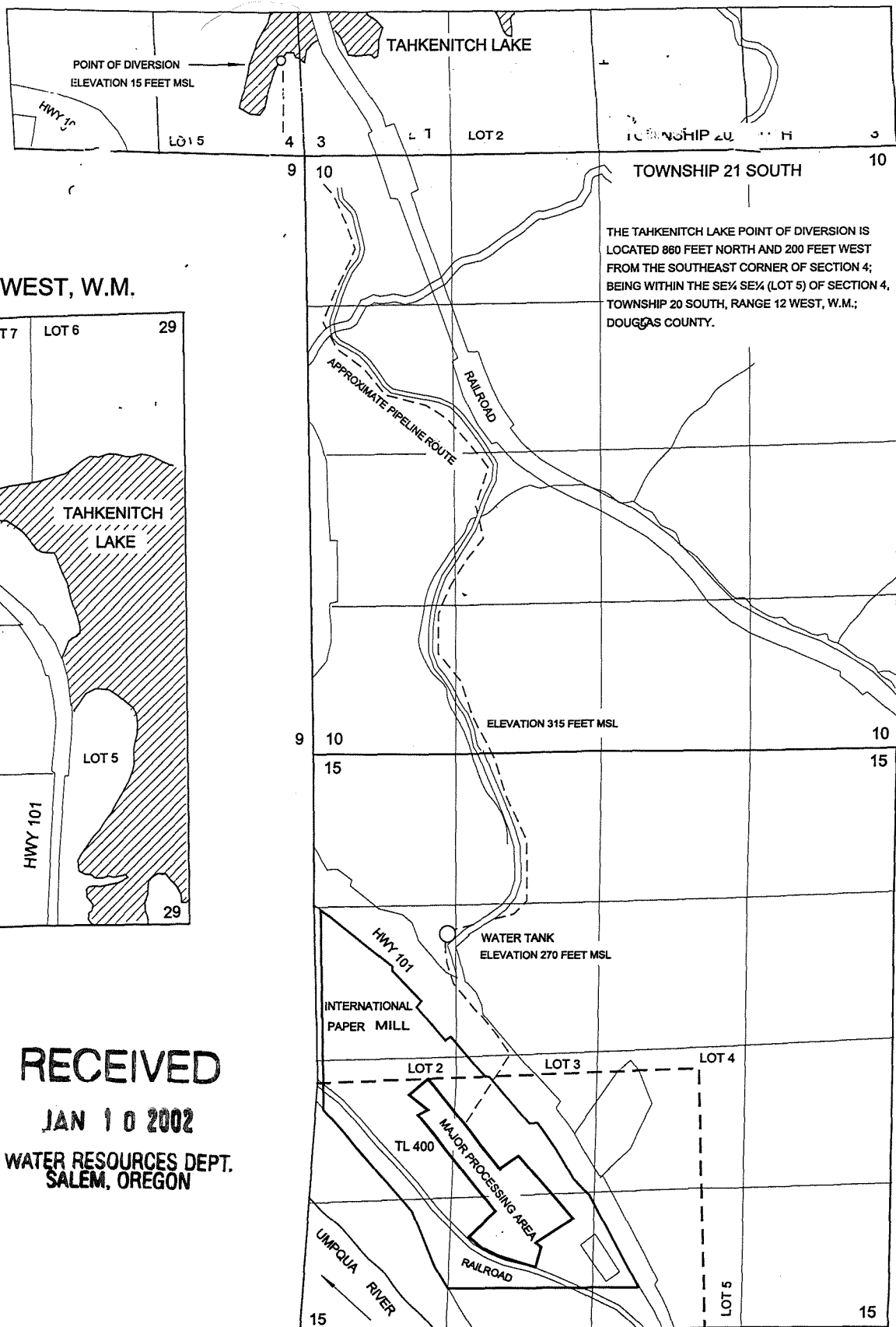
PERMIT No.: R - 2341
R - 2342
26724

TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

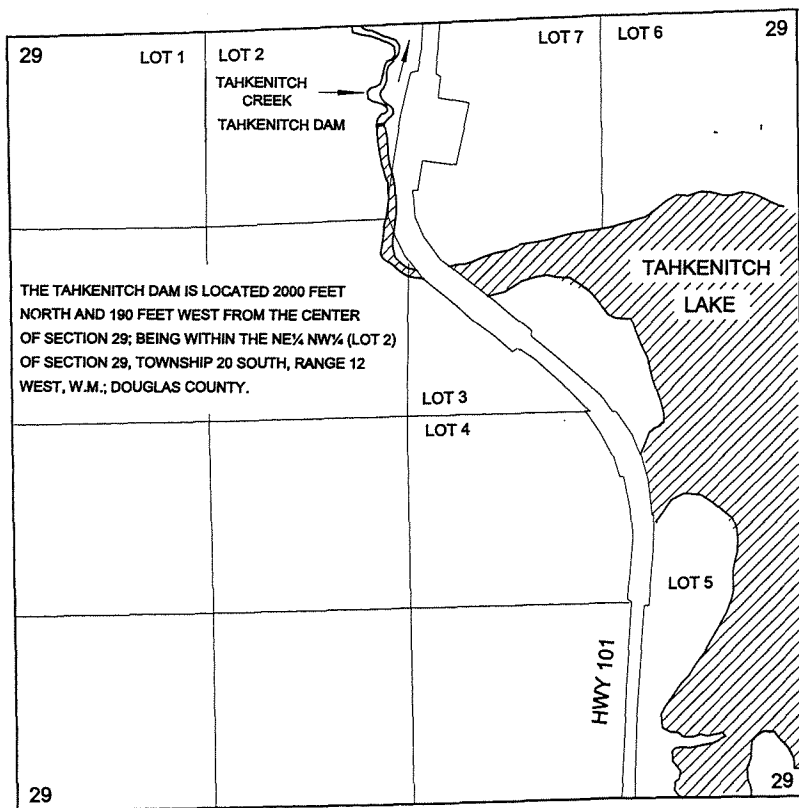
TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.



TOWNSHIPS 20 & 21 SOUTH, RANGE 12 WEST, W.M.



TOWNSHIP 20 SOUTH, RANGE 12 WEST, W.M.



RECEIVED
JAN 10 2002
WATER RESOURCES DEPT.
SALEM, OREGON

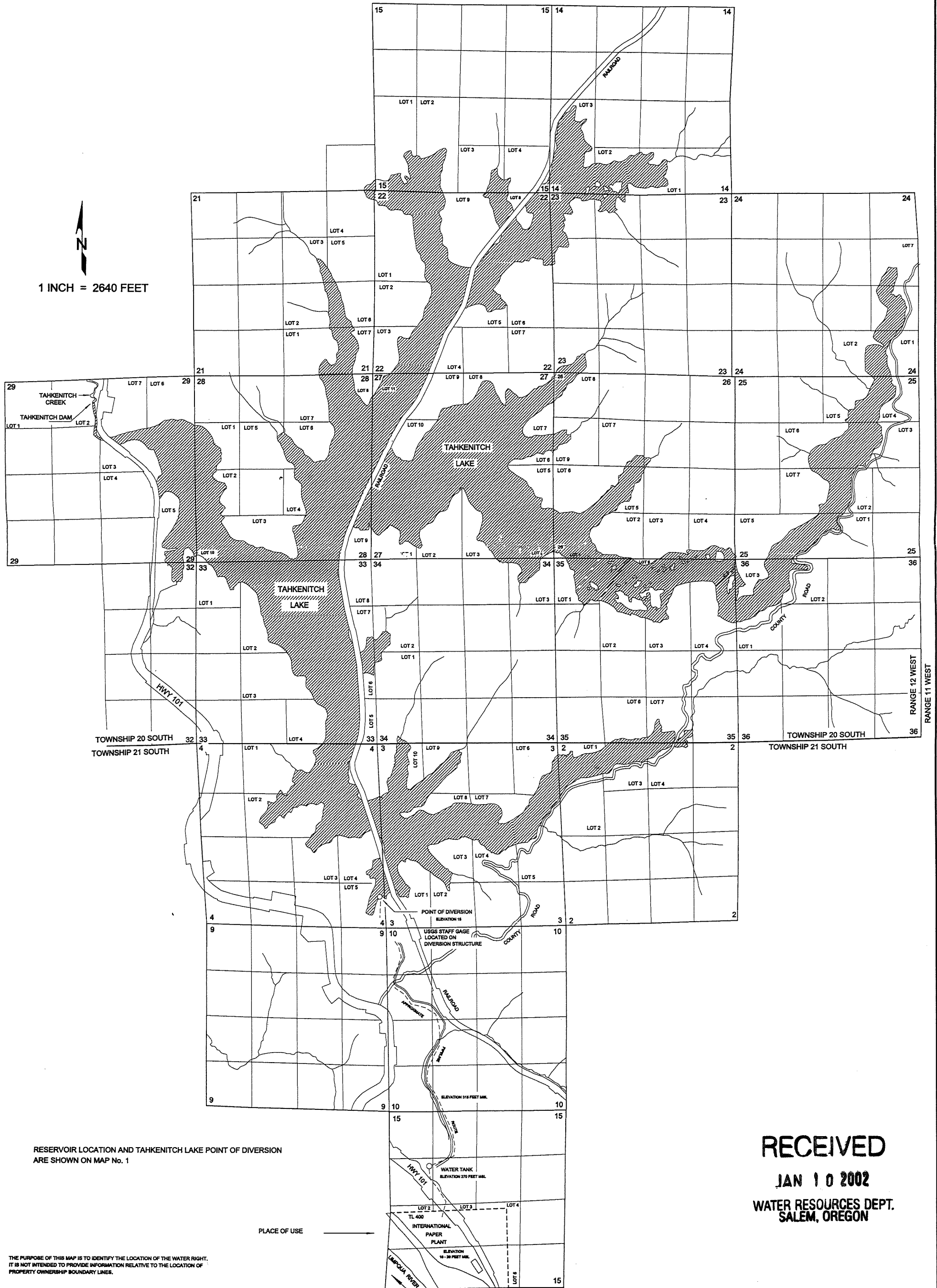
THE PURPOSE OF THIS MAP IS TO SHOW THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

FINAL PROOF SURVEY MAP IN THE NAME OF INTERNATIONAL PAPER COMPANY MAP 2 OF 3

APPLICATION No. R - 30179

PERMIT No. R - 2342

TOWNSHIP 20 & 21 SOUTH, RANGE 12 WEST, W.M.



RESERVOIR LOCATION AND TAHKENITCH LAKE POINT OF DIVERSION ARE SHOWN ON MAP No. 1

PLACE OF USE

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

RECEIVED

JAN 10 2002

WATER RESOURCES DEPT.
SALEM, OREGON

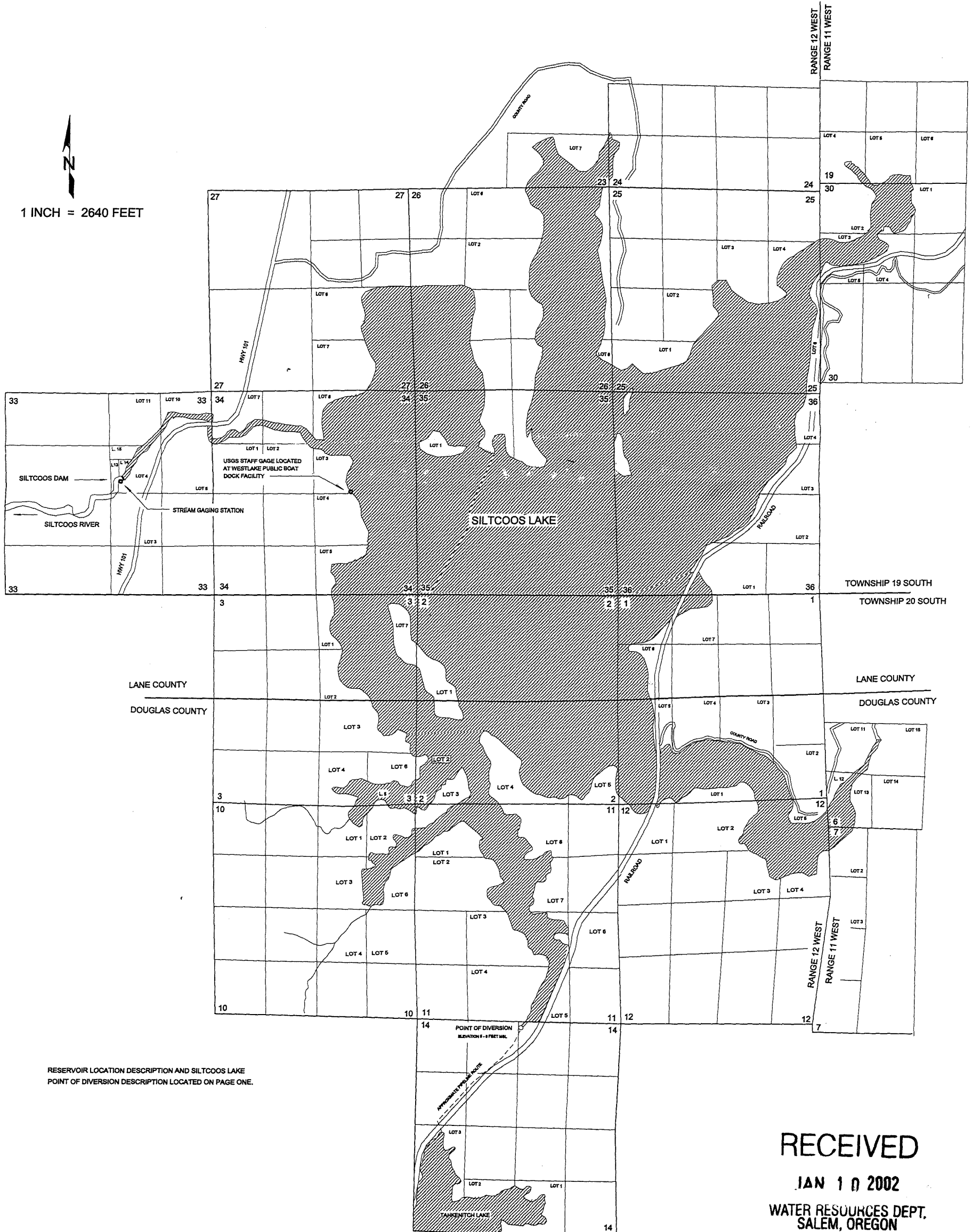
FINAL PROOF SURVEY MAP IN THE NAME OF INTERNATIONAL PAPER COMPANY

MAP 3 OF 3

APPLICATION No. R - 30073

PERMIT No. R - 2341

TOWNSHIP 19 & 20 SOUTH, RANGE 11 & 12 WEST, W.M.



THE PURPOSE OF THIS MAP IS TO SHOW THE LOCATION OF THE WATER RIGHT.
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

RECEIVED
JAN 10 2002
WATER RESOURCES DEPT.
SALEM, OREGON