STOEL RIVES BOLEY JONES & GREY

ATTORNEYS AT LAW
SUITE 2300
STANDARD INSURANCE CENTER
900 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1268

Telephone (503) 224-3380 Telecopier (503) 220-2480 Cable Lawport Telex 703455 Writer's Direct Dial Number

(503) 294-9123

TALLER ALSO UP TO A

December 30, 1993

VIA ON-TIME DELIVERY

Mr. A. Reed Marbut Administrator Oregon Water Resources Department 3850 Portland Road N.E. Salem, Oregon 97310

Re: Boise Cascade Corporation

Dear Reed:

On behalf of Boise Cascade Corporation ("Boise Cascade"), I enclose the following documents for filing with the Department:

- 1. Surface Water Registration Statement for a Pre-1909 Vested Water Right Claim. The registration fee in the amount of \$5,175 was submitted to the Department on December 3, 1993, together with Boise Cascade's petition for an order authorizing the filing of the registration statement. The Director has granted the petition.
- 2. Application for a Permit to Appropriate Surface Water Along the Columbia River, together with a check for the application fee in the amount of \$300. This application is for Boise Cascade's St. Helens, Oregon, veneer mill.
- Application for a Permit to Appropriate Surface Water Along the Multnomah Channel, together with a check for the application fee in the amount of \$3,500. This application is for Boise Cascade's St. Helens, Oregon, pulp and paper mill.

The surface water appropriations that are the subject of the registration statement are used by Boise Cascade's St. Helens, Oregon, veneer mill and pulp and paper mill. These

PDX1-91969.1 15760 0161

STOEL RIVES BOLEY JONES & GREY

Mr. A. Reed Marbut December 30, 1993 Page 2

appropriations are also the subject of the separate permit applications for the veneer mill and the pulp and paper mill, respectively. Boise Cascade is filing the permit applications as a protective measure because its pre-1909 claims have not yet been adjudicated.

Please contact me if you believe that the registration statement or permit applications are deficient in any respect or if you have any questions regarding them.

Very truly yours,

Gail f. Achterman

HEC 3 0 100 :

OF RESULTING

GLA:bak Enclosure

cc: Mr. David G. Gadda

Mr. Allan Mick (w/encl.)

ATTACHMENT A

MAP-1: BOISE CASCADE CORPORATION VENEER MILL

MAP-2: BOISE CASCADE CORPORATION PULP AND PAPER MILL

ATTACHMENT B

SUMMARY OF DATES OF FIRST USE AND DEVELOPMENT, QUANTITIES, AND INITIATING PARTIES

- Dec. 28, 1867 Between October 20, 1866, and December 28, 1867, J. M. and J. H. Ritchey constructed a sawmill adjacent to Multnomah Channel on property now owned by Boise Cascade Corporation in Township 4 North, Range 1 West, Section 3, W.M. The quantity of water diverted from the Channel is not known, but diversions are inferred from the location of the sawmill and the need of all sawmills at the time for water for power and for transporting and storing raw logs.
- Sep. 1904 The sawmill was destroyed by fire. Although the sawmill site was not used for approximately four years thereafter, there is no evidence that the owners intended to abandon rights to divert water or to cease industrial operations.
- Dec. 18, 1908 By no later than this date, construction had begun on a new sawmill at the site, which was operated by Hamlin F. and Charles R. McCormick.
- Sep. 15, 1909 The first lumber was cut by the new sawmill. By no later than this date, a 14-inch pipe with a capacity of 1500 gallons per minute (3.34 cfs) was diverting water from Multnomah Channel to serve the sawmill's boilers.
- Nov. 25, 1924 The McCormicks and others incorporated the St. Helens Pulp and Paper Company in part to make use of woodwaste from their sawmill.
- Jan. 6, 1926 Construction began on the pulp and paper mill.
- Jan. 1, 1927 Commercial production began at the pulp and paper mill. The mill diverted water from Multnomah Channel for industrial processes at the mill.
- May 1, 1964 Boise Cascade Corporation purchased the pulp and paper mill.
- Feb. 10, 1971 Boise Cascade Corporation purchased the sawmill.

Sep. 18, 1972 Boise Cascade Corporation constructed a veneer mill, which began production on this date, adjacent to the sawmill. The veneer mill diverted water from Multnomah Channel for industrial processes at the mill.

Dec. 1973 The sawmill, which had operated with no more than a 6-month closure since it opened on September 15, 1909, closed. The sawmill briefly reopened in 1979 or 1980 and was destroyed in 1986.

Except for a brief closure of approximately one month in 1948 because of flooding, the pulp and paper mill has operated and diverted water from Multnomah Channel continuously since it opened on January 1, 1927. The pulp and paper mill diverts an average of 32 million gallons per day from Multnomah Channel for industrial purposes at the mill and has the capacity to divert 42 million gallons per day (64.99 cfs).

The veneer mill has operated and diverted water from Multnomah Channel continuously since it opened in 1972. The veneer mill diverts approximately 23,000 gallons per day (0.04 cfs) from the Columbia River for industrial purposes at the mill.

PRESENT

ATTACHMENT C

AFFIDAVIT OF DAVID G. GADDA

AFFIDAVIT OF DAVID G. GADDA ASSOCIATE GENERAL COUNSEL BOISE CASCADE CORPORATION

STATE	OF	1	DAHO)	
)	SS
County	of	=	Ada)	

- I, David G. Gadda, having been duly sworn, depose and say:
- 1. I am associate general counsel of Boise Cascade

 Corporation ("Boise Cascade"). I make this affidavit in

 support of Boise Cascade's accompanying Surface Water

 Registration Statement for Undetermined, Pre-1909 Vested Water

 Rights. To the best of my knowledge, all of the matters stated herein are true and correct.

St. Helens Industrial Site

2. Boise Cascade owns an industrial site near
St. Helens, Columbia County, Oregon. Among the industrial
facilities presently on the site and operated by Boise Cascade
are a pulp and paper mill and a veneer mill. I am familiar
with this industrial site and its history through personal
knowledge or through information that I have obtained from past
or present employees of Boise Cascade or from persons with whom
Boise Cascade has contracted for historical research.

3. Boise Cascade's St. Helens industrial site, including the pulp and paper mill and the veneer mill, is adjacent to Multnomah Channel, near its confluence with the Columbia River, and covers portions of Sections 3, 4, 9, and 10 of Township 4 North, Range 1 West, Willamette Meridian.

Current Surface Water Diversions and Uses

- 4. Boise Cascade diverts water from Multnomah Channel and the Columbia River for industrial uses at the site. A pumping station in Section 10 of Township 4 North, Range 1 West, with a capacity of 42 million gallons per day, is used to divert water for the pulp and paper mill. The point of diversion is 2950 feet south and 500 feet east of the northwest corner of Section 10. The average daily amount of water diverted for the mill is approximately 32 million gallons. Approximately 0.14 million gallons of water per day for industrial and other purposes is also obtained from the City of St. Helens.
- 5. A pumping station in Section 3 of Township 4 North, Range 1 West, with a capacity of 23,000 gallons per day, is used to divert water for the veneer mill. The point of diversion is 1500 feet north and 1300 feet east of the southwest corner of Section 3. The average daily amount of water diverted for the veneer mill is approximately 23,000 gallons. The veneer mill also obtains approximately 500 gallons of water per day for domestic purposes from the City of St. Helens.

of. Wastewater from the pulp and paper mill and the veneer mill is discharged into the City of St. Helens' sewage treatment system and ultimately discharged back into Multnomah Channel in Section 3 of Township 4 North, Range 1 West. The veneer mill also periodically discharges wastewater directly into Multnomah Channel in Section 3 of Township 4 North, Range 1 West, pursuant to a National Pollutant Discharge Elimination System permit issued by the Oregon Department of Environmental Quality. The combined discharge of the two mills averages approximately 32.7 million gallons per day. Because water diverted from the Channel is augmented by water obtained from the City of St. Helens, and because Boise Cascade's uses at its two St. Helens manufacturing facilities are in the aggregate largely nonconsumptive, Boise Cascade returns slightly more water to the Channel than it diverts.

Site History

7. A sawmill was first constructed on what is now Boise Cascade's industrial site in 1867. The sawmill operated until it was destroyed by fire in 1904. Hamlin F. and Charles R. McCormick began constructing a new sawmill on the site no later than December 1908. The sawmill included facilities for diverting water from the Columbia River, near its confluence with Multnomah Channel, in order to serve industrial processes at the mill. Construction continued until the mill began operating and diverting water from Multnomah Channel no later than September 1909.

- 8. Soon after construction of the sawmill, the McCormicks and their associated companies constructed a number of additional industrial operations on and near Boise Cascade's present site. Many of these operations were intended to be integrated with the sawmill by making use of the sawmill's products and byproducts. The operations included a creosoting company, a shipyard, an additional sawmill, a railroad line, and, in 1926, the present pulp and paper mill, which used wood waste from the sawmill.
- 9. The sawmill constructed in 1908 continuously operated and diverted water from Multnomah Channel for industrial uses until December 1973, with the exception of six months during 1932, a week in 1964, and two months in 1970-71, when the mill was closed temporarily. The sawmill also operated briefly in 1979-80.
- 10. Boise Cascade acquired the sawmill in 1971 and built the present veneer mill adjacent to it in 1972. The veneer mill has continuously operated and diverted water from Multnomah Channel for industrial uses since that time. One of the water lines formerly used by the sawmill to divert water from Multnomah Channel is still used by the veneer mill.
- 11. The pulp and paper mill has continuously operated and diverted water from Multnomah Channel for industrial uses since it was constructed in 1926. Boise Cascade purchased the pulp and paper mill in 1964.

Boise Cascade's Actions With Respect to Its Water Rights

- 12. Until September 1993, Boise Cascade personnel had no reason to inquire into the status of its water rights or to take any other action with respect to them. When Boise Cascade purchased the pulp and paper mill and the former sawmill in 1964 and 1971, respectively, these facilities had long been operating and openly diverting substantial amounts of water from Multnomah Channel, and neither of the selling parties disclosed that the industrial site's pre-1909 water rights had not been adjudicated. To Boise Cascade's knowledge, the right to divert water from Multnomah Channel for these and other industrial facilities on the site has never been questioned by any public or private person or entity, either before or since Boise Cascade acquired the site.
- 13. Boise Cascade did not become aware of the requirement to register claims to undetermined vested water rights until after December 31, 1992. No state agency or other source informed Boise Cascade of the requirement before that date.

 Moreover, the published notice required by ORS 539.230, if in fact the notice was published as required, was not reasonably sufficient to apprise Boise Cascade of the requirement because Boise Cascade had no reason to review the publications regularly for notices of that sort.
- 14. Boise Cascade learned of the registration requirement only in September 1993. At that time, Boise Cascade was engaged in negotiations with a third party concerning

construction, financing, and operation of a cogeneration facility at Boise Cascade's St. Helens site, which would require an application to the Oregon Energy Facility Siting Council ("EFSC"). The EFSC application process requires applicants to identify the proposed facility's water rights. In the course of identifying its rights, Boise Cascade learned of the registration requirement.

- 15. Since learning of the registration requirement, Boise Cascade has worked diligently to characterize fully the basis for its St. Helens water rights and to prepare a registration statement for those rights.
- 16. Neither Boise Cascade nor, to Boise Cascade's knowledge, any of its predecessors in interest have abandoned the water rights for Boise Cascade's St. Helens industrial site. Furthermore, Boise Cascade has no intention of abandoning these water rights now or in the future.

Attachments

17. Attachment C-1 to this affidavit is a narrative description of the development of water at Boise Cascade's St. Helens industrial site, including the history of the site and current diversions and uses of water. The narrative provides a more detailed statement of the matters discussed in paragraphs 2 through 11 of this affidavit. The information contained in Attachment C-1 is known to me through personal knowledge or through information that I have obtained from past or present employees of Boise Cascade or from persons with whom

Boise Cascade has contracted for historical and property research. To the best of my knowledge, all of the information stated in Attachment C-1 is true and correct.

- 18. Attachment C-2 contains a property description of Boise Cascade's St. Helens industrial site, assessor's maps of the site, and the vesting deeds for the site. The information contained in Attachment C-2 was obtained from or based on official public records of Columbia County, Oregon. To the best of my knowledge, all of the information stated in Attachment C-2 is true and correct.
- 19. Attachment C-3 contains true and correct copies of miscellaneous documents depicting the historical development of Boise Cascade's St. Helens industrial site. These documents were obtained from public sources by persons with whom Boise Cascade has contracted for historical and property research. To the best of my knowledge, all of the documents contained in Attachment C-3 are accurately described and are accurate copies of genuine historical documents.

David /G. Gadda

SUBSCRIBED AND SWORN TO before me this 287 day of December, 1993.

TAP LOCALITY

Notary Public, State of Idaho
Residing at: MEDIAN, TDAHO
My commission expires: 8/5/97

ATTACHMENT C-1

NARRATIVE DESCRIPTION OF THE DEVELOPMENT OF WATER AT BOISE CASCADE CORPORATION'S ST. HELENS INDUSTRIAL SITE

Present Industrial Operations and Water Diversions

Boise Cascade Corporation ("Boise Cascade") is a publicly held Delaware corporation headquartered in Boise, Idaho. Boise Cascade owns and operates pulp and paper and wood products manufacturing facilities throughout the United States and Canada. Among these facilities are a pulp and paper mill and a veneer mill on a large industrial site near St. Helens, Columbia County, Oregon. The site is adjacent to Multnomah Channel at its confluence with the Columbia River and covers portions of Sections 3, 4, 9, and 10 of Township 4 North, Range 1 West, Willamette Meridian. The legal description of the site and copies of the relevant assessor's maps and vesting deeds are contained in Attachment C-2.

Boise Cascade diverts water from Multnomah Channel for industrial processes at the pulp and paper mill. The diversion is through an on-site pumping station in Section 10 of Township 4 North, Range 1 West, W.M., on the west bank of the Channel. The point of diversion is 2950 feet south and 500 feet east of the northwest corner of Section 10. The station is a concrete structure constructed in 1979 that houses screens and raw water supply pumps. The structure is approximately 18 feet by 46 feet. The foundation is set on pilings in the Channel and rises approximately 40 feet to the pumps on the station floor. In the station floor there are two openings, each 6 feet by 7 feet, that allow river water to pass over the travelling screens that protect the pumps. Once past the screens, the water enters two sumps from which it is pumped to serve the mill.

The pump station includes four, 200-horsepower Bingham 24-inch vertical turbines. Three of the four are normally operating, while the fourth is held in reserve. The total capacity of the station is 42 million gallons per day (64.99 cfs). The water is conveyed from the pump station to the water treatment plant for the mill through a 36-inch reinforced concrete pipe.

The average daily amount of water diverted for the mill is approximately 32 million gallons. An additional approximately 140,000 gallons per day is obtained from the City of St. Helens for industrial and other purposes.

Boise Cascade also diverts water from the Columbia River, just downstream from its confluence with Multnomah Channel, for the veneer mill through a separate, on-site pumping station in Section 3, Township 4 North, Range 1 West, W.M. The pumping station is approximately 75 feet from the bank and is 1500 feet north and 1300 feet east of the southwest corner of Section 3. Three piles support a 2-horsepower submersible pump that transfers water to a 10,000 gallon storage tank on the bank. The delivery piping is a 2-inch rubber line that is suspended from the pilings to the storage tank at an elevation of approximately 25 feet. The pump has a capacity of 23,000 gallons per day (0.04 cfs), and approximately 23,000 gallons per day is diverted for industrial processes at the mill. An additional approximately 500 gallons per day is obtained from the City of St. Helens for domestic purposes at the mill.

Wastewaters from the pulp and paper mill and from the veneer mill are discharged into the City of St. Helens' sewage treatment system and ultimately discharged into Multnomah Channel in Section 3, Township 4 North, Range 1 West, W.M. Wastewater from the veneer mill is also periodically discharged directly into the Columbia River in Section 3 pursuant to a National Pollutant Discharge Elimination System permit issued by the Oregon Department of Environmental Quality.

Although the pulp and paper process uses a large amount of water, very little of the water is lost through the process. In addition, raw materials used in the process contain substantial amounts of water. Boise Cascade augments the water obtained from Multnomah Channel and the Columbia River with water obtained from the City of St. Helens. As a result, Boise Cascade returns slightly more water to Multnomah Channel than it diverts.

Early Industrial Development of Boise Cascade's Site

About 1867, a sawmill was constructed on the site near the location of the present veneer mill. J. M. and J. H. Ritchey purchased the sawmill site on October 20, 1866, with the express intent of erecting a sawmill. (Deed Records of Columbia County, Oregon, Book C, page 91.) Approximately a year later, on December 28, 1867, they and others sold the site to the St. Helens Mill Co., together with personal property,

All subsequent references to "Deed Records" are to the records of Columbia County.

including logs and lumber. (Deed Records, Book D, page 32.) From these transactions, the sawmill must have been constructed sometime between October 1866 and December 1867. There is also sworn testimony in the records of Columbia County of a former manager who recalled working in the mill in the late 1860s.

In March 1874, the St. Helens Mill Co. became bankrupt and the sawmill was sold to James Muckle in December 1874. (Deed Records, Book E, pages 439, 496.) James Muckle, and later his brother Charles Muckle, continued to own the mill, known as the "Muckle Bros." mill, until September 1904, when it was destroyed by fire. There is no evidence that the mill was closed for any significant period between 1867 and 1904, and it appears to have been operated continuously during this period.

There is no direct evidence that the sawmill diverted water from Multnomah Channel or the Columbia River. A contemporary drawing from June 1883, however, shows the mill and an adjacent wharf built on pilings along the shore of the Channel. (Attachment C-3.1.) The drawing also shows smokestacks for boilers and what appears to be a water storage tank. A sawmill at the time could not have operated without substantial amounts of water. Given this and the location of the mill, it can be inferred that substantial diversions of water from Multnomah Channel or the Columbia River began no later than December 28, 1867, and continued without significant interruption until September 1904, when the mill burned.

Industrial Development by the McCormicks

Although the sawmill site was not used for approximately four years after it burned in 1904, there is no evidence that the Muckle Brothers intended to abandon their rights to divert water or to cease their industrial operations. Indeed, a new, larger sawmill was constructed on the site beginning in 1908.

In 1908, San Francisco industrialists Charles R. and Hamlin F. McCormick arrived in St. Helens to build the new sawmill and to initiate other industrial developments. They formed the St. Helens Mill Co., which no later than December 18, 1908, began erecting a sawmill on the site of the burned mill. (See Oregon Mist, issues of December 18, 1908, and January 1, 1909.) Construction proceeded diligently, and the new mill began operating on September 15, 1909. The Muckle Brothers had meanwhile sold their interests in the site to the McCormicks on August 30, 1909. (Deed Records, Book 12, page 586.) These interests were later acquired by the St. Helens

Mill Co. on September 23, 1910 (Deed Records, Book 13, page 611), which became the St. Helens Lumber Co. in 1912.

As part of an apparent plan of industrial development based on the sawmill, the McCormicks and their associated companies soon developed a number of other nearby industrial enterprises that were complementary to the sawmill. November 1909, the McCormicks formed the St. Helens Light and Power Company to supply power from the mill to St. Helens and other nearby locales. In 1912, the McCormicks established a shipyard at the northern end of Sauvie Island, across Multnomah Channel from the sawmill, and a creosoting plant in St. Helens. In 1914, they built a second sawmill, the Columbia County Mill Company, and, in 1917, they built the Island Mill on Sauvie Island, adjacent to the shipyard. They formed the St. Helens Dock & Terminal Company in 1919 to build a rail line to serve the sawmill and their other interests. Two additional companies were formed in 1924 and 1930, respectively, to make use of waste from the sawmill: the St. Helens Wood Products Company to make broom handles and the Fir-Tex Insulating Board Company. All of these industrial plants were built along or near Multnomah Channel in the vicinity of the original sawmill. (See Attachment C-3.6.)

Continuing with the industrial development of the McCormick's St. Helens properties, Hamlin McCormick in 1924 recruited investors to establish a local pulp and paper mill, which would provide a market for the slab waste and hog fuel generated by the sawmill. The St. Helens Pulp and Paper Company was incorporated on November 25, 1924, and ground was broken for the mill on January 6, 1926, at a location along Multnomah Channel several hundred yards south of the sawmill. Commercial production of pulp and paper began on January 1, 1927. From the beginning, large amounts of water for industrial processes at the mill were pumped from Multnomah Channel adjacent to the mill.

Subsequent History of the Sawmill and Pulp and Paper Mill

Sawmill/Veneer Mill. With three brief exceptions, the McCormicks' St. Helens sawmill operated continuously from its opening in September 1909 until it closed in December 1973. The mill was closed for seven months between December 1931 and July 1932 because of a lack of orders during the Depression. The mill was closed again for a week because of flood damage in 1964. And, the mill was closed between December 1970 and February 1971 during a change in ownership.

In June 1938, the Pope & Talbot Lumber Company (later renamed Pope & Talbot, Inc.) acquired control over the sawmill

from the McCormick interests. (Deed Records, Book 62, page 546.) Pope & Talbot made a number of changes to the mill over the years until the mill was sold to Boise Cascade in February 1971. (Deed Records, Book 180, page 271; see also Attachment C-2.14.)

Boise Cascade built a veneer mill adjacent to the sawmill in the summer of 1972. The veneer mill began full production on September 18, 1972, and has operated continuously since then.

In December 1973, Boise Cascade closed the sawmill and converted portions of it for use by the veneer mill. A small portion of the sawmill briefly reopened in 1979 or 1980 to cut salvaged logs. In 1986, Boise Cascade burned the remains of the sawmill and removed the debris.

Pulp and Paper Mill. Except for a 35-day period in 1948 when the pulp and paper mill was closed by flooding, the mill has operated continuously since it opened in 1927. The mill has gradually increased production from an average of 60 tons of pulp per day when it opened to a current average of approximately 1000 tons per day.

In 1953, the mill was sold to Crown Zellerbach Corporation. Crown Zellerbach, in turn, sold the mill to Boise Cascade in 1964. (Attachment C-2.2.) Boise Cascade has operated the mill since then.

Water Use at the Sawmill and Veneer and Pulp and Paper Mills

From the beginning, the sawmill constructed by the McCormicks in 1908-09 diverted water year-round from the Columbia River through a 14-inch suction pipe. (See Attachment C-3.4.) The water was used primarily in the sawmill's powerhouse boilers. The capacity of the diversion was 1500 gallons per minute, or 3.34 cfs. The pipe remained in operation until the sawmill closed in December 1973.

Sometime before November 1921, a 50 horsepower electric pump was installed near the log pond to transport river water to the sawmill's condensers. (See Attachment C-3.5.) The pump was later used in the sawmill's fire protection system, which was supplemented by a 150 horsepower electric pump. A two-inch water line was also installed in the 1970s to serve the sawmill's boilers. This last line is now used by the veneer mill to divert water from the Columbia River for use in the mill's industrial processes. The veneer mill currently diverts and uses approximately 23,000 gallons of water per day (0.04 cfs).

The pulp and paper mill diverts and uses an average of 32 million gallons per day in industrial processes at the mill. The mill has the capacity to divert 42 million gallons per day (64.99 cfs).

ATTACHMENT C-2

PROPERTY DESCRIPTION, ASSESSOR'S MAPS, AND DEEDS

Boise Cascade Corporation's St. Helens industrial site consists of the following contiguous parcels, as described in the Columbia County, Oregon, property tax records:

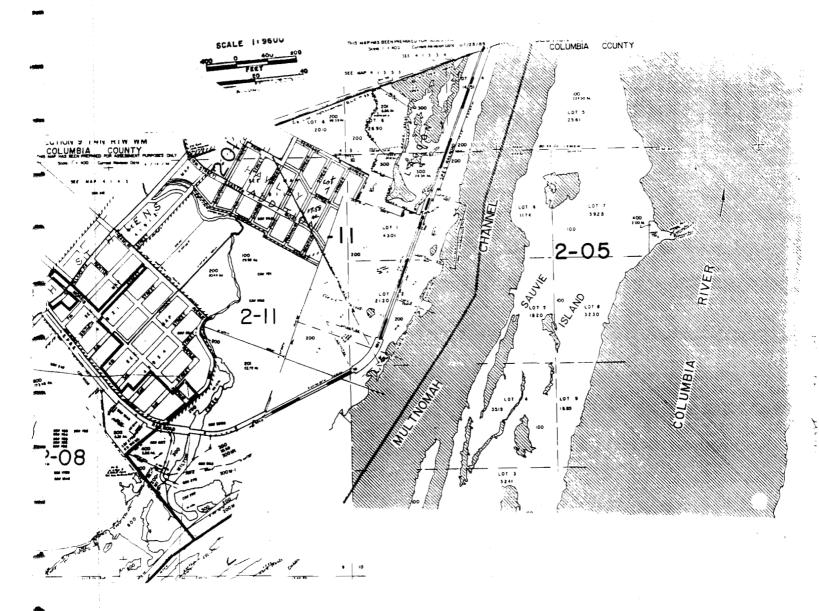
<u>Township</u>	Range	Sect	ion Tax Lot	<u>Acreage</u>
4 N	1W	3	100	16.92
4 N	1W	3	1200	
4 N	1W	4	7300	0.72
4 N	1W	4	7400	0.08
4 N	1W	4	7500	1.11
4 N	1W	4	7900	1.71
4 N	1W	4	10800	2.38
4 N	1W	9	201	22.72
4 N	1W	9	100	32.82
4 N	1W	9	100^{1}	8.02
4 N	1W	9	601	
4 N	1W	9	700	
4 N	1W	9	2300	***
4 N	1W	10 (also	3,4,9) 200	99.59

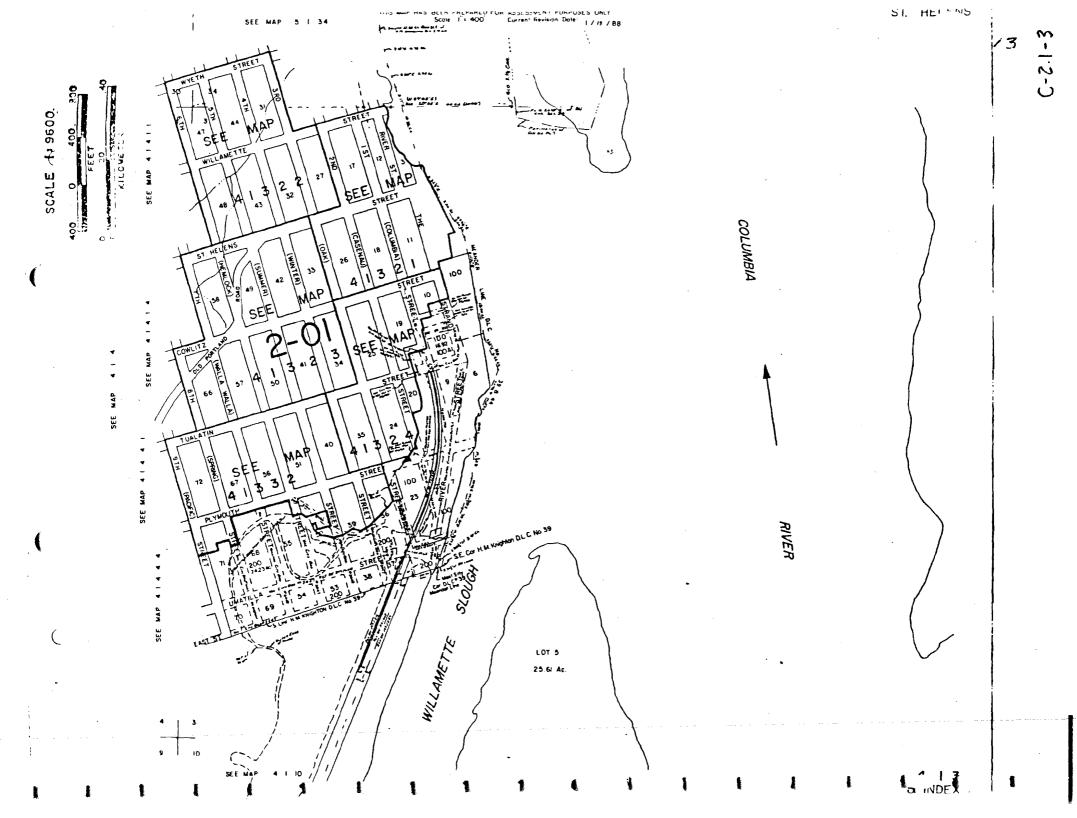
Boise Cascade Corporation's veneer mill is located on Tax Lots 100 and 1200 of Section 3 of Township 4 North, Range 1 West. The remaining tax lots are associated primarily with the Boise Cascade Corporation's pulp and paper mill.

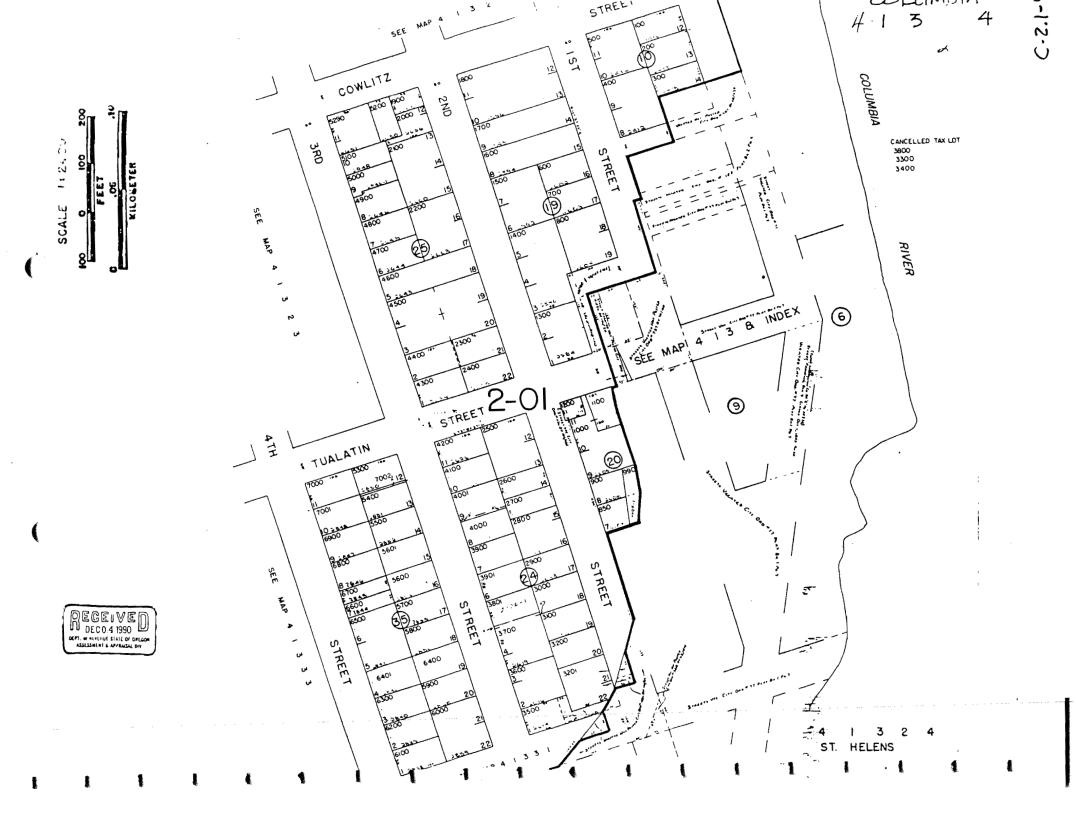
Attached are copies of the relevant Columbia County Tax Assessor Maps of Boise Cascade Corporation's St. Helens industrial site and the vesting deeds and related documents for the site. The documents are:

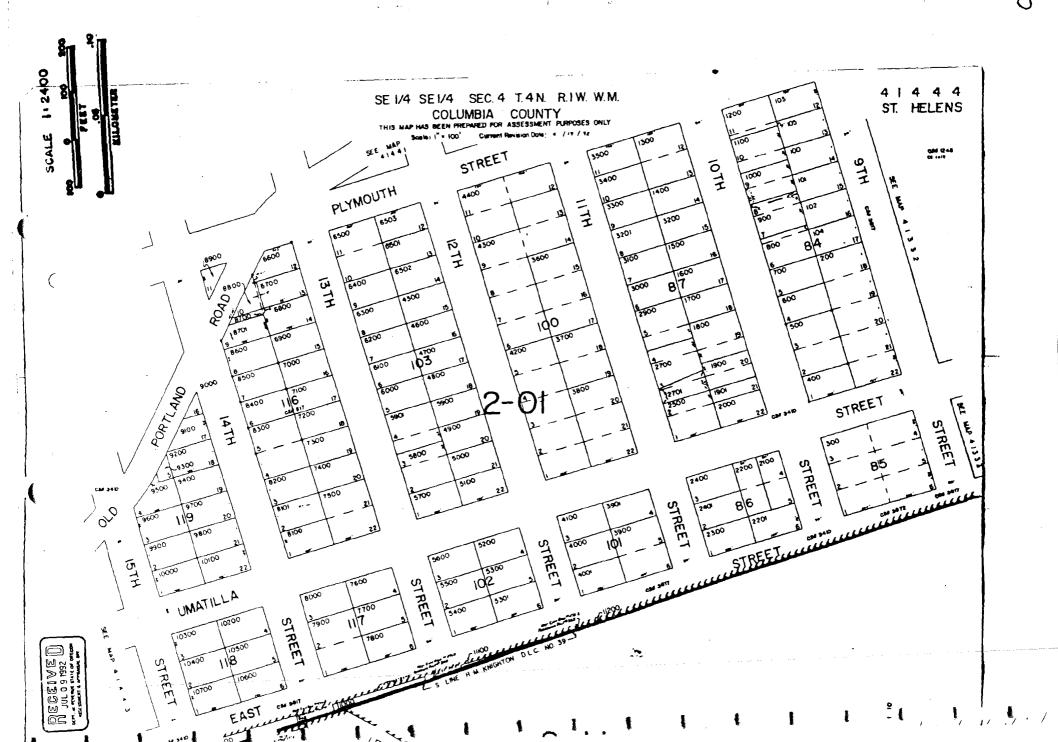
C-2.1 Assessor's Maps

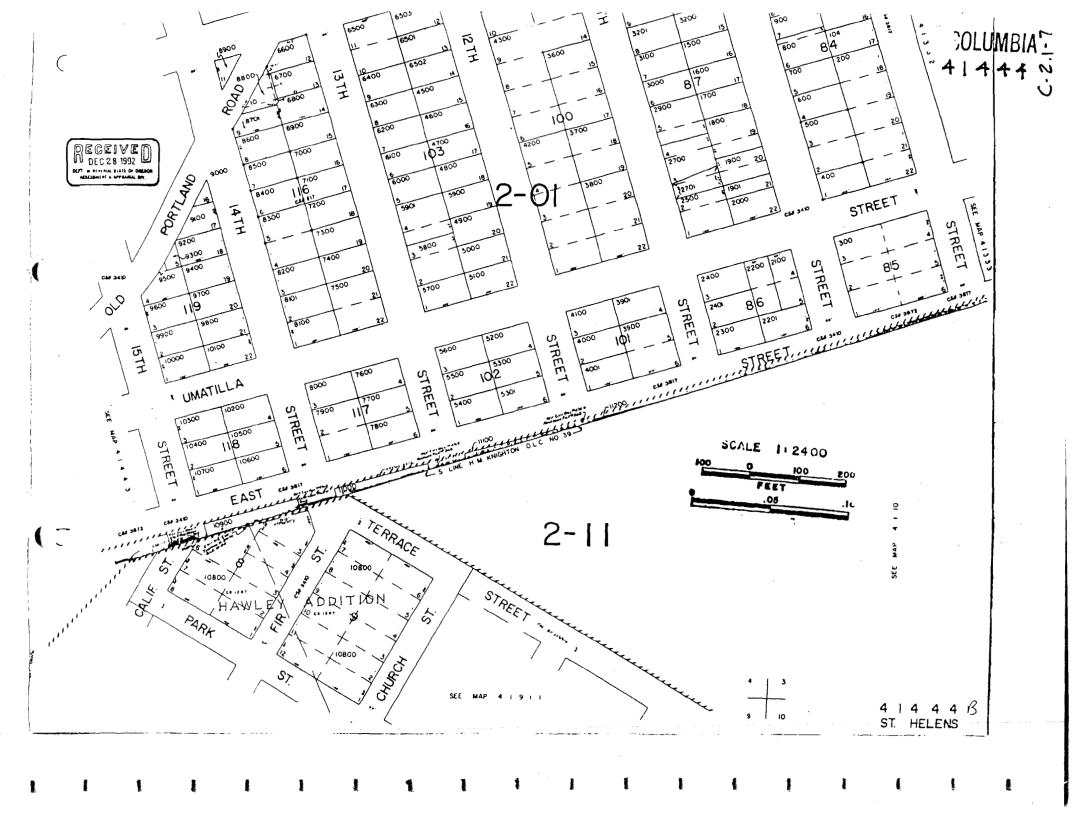
There are two separate accounts for Tax Lot 100, apparently because the lot is on parts of two different county maps.

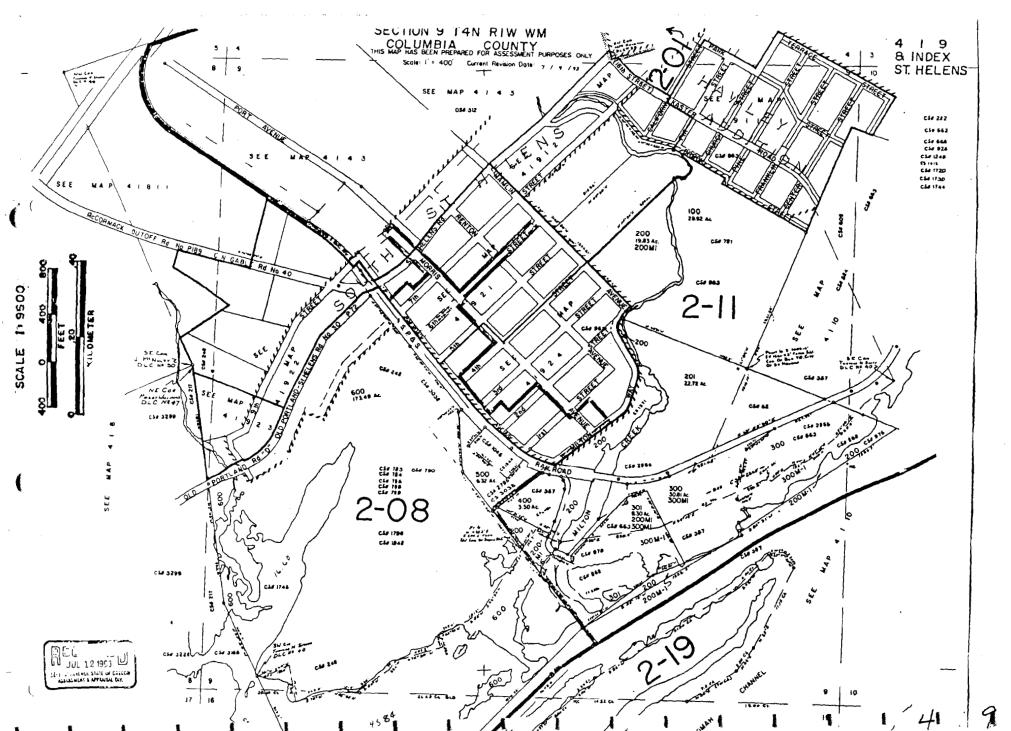


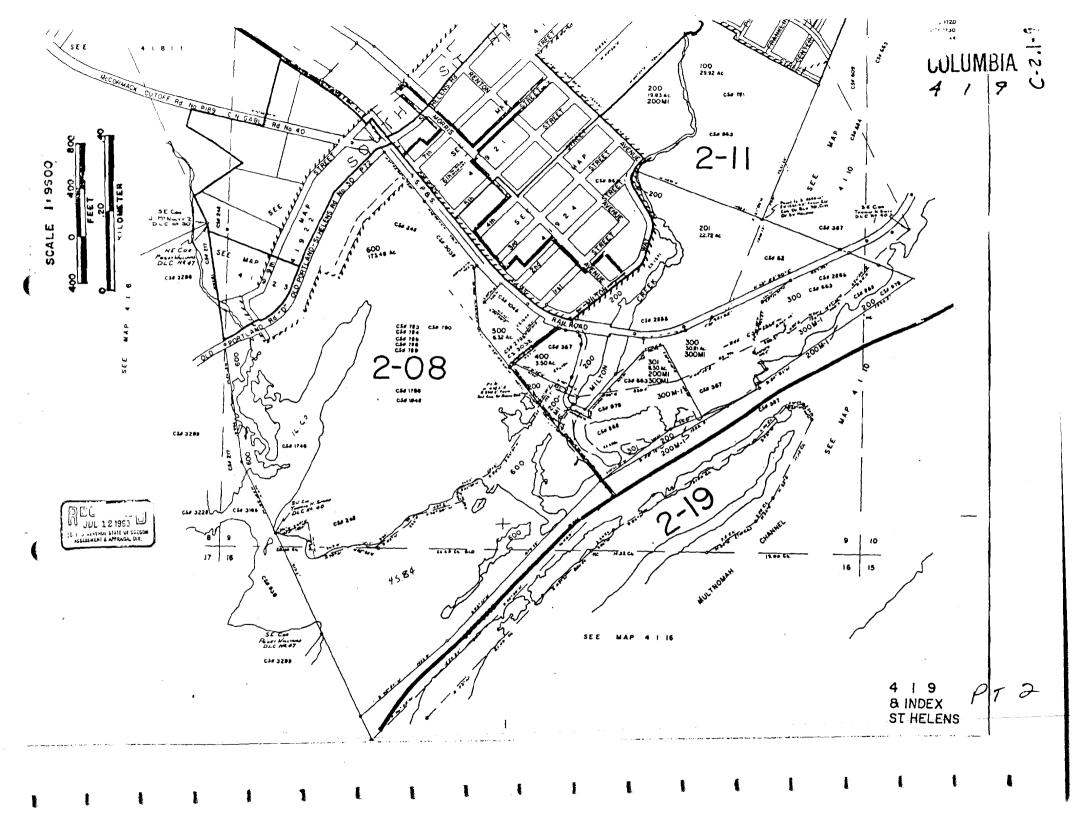












900 L54 Mar

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That CROWN ZELLERBACH CORPORATION, a corporation duly organized and existing under the laws of the State of Nevada, the consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by ST. HELENS PAPER CORPORATION, a Delaware corporation, grantee, does hereby grant, bargain, sell and convey to said grantee, its successors and assigns, all of the following real property, with the tenements, hereditaments and appurtenances situated in the County of Columbia, and State of Oregon, bounded and described as follows, to-wit:

TRACT 1: A parcel of land in Lot Seven (7) of Section Nine (9) and Lots
One (1) and Two (2) of Section Ten (10), Township Four (4) North,
Range One (1) West of W. M., more particularly described as follows:

Beginning at a point which is located South 19017'25" West distant 1425, 31 feet from the Southwesterly corner of Block 70 in the City of St. Helens, Columbia County, Oregon; thence South 68051' West a distance of 800 feet; thence North 2109' East a distance of 100 feet; thence South 68051' East a distance of 200 feet; thence South 2109' West a distance of 1350 feet along the West side of the right of way formerly owned by the St. Helens Dock & Terminal Company; thence North 68051' West a distance of 457.73 feet; thence North 26018'4" West a distance of 736, 16 feet; thence North 2109' East a distance of 752, 24 feet to the point of beginning; containing 26,057 acres, more or less.

TRACT 2: A parcel of land in Lots One (1) and Two(2) of Section Ten (10),

Township Four (4) North, Range One (1) West of W.M., together with
all tide and overflow lands fronting and abutting thereon, more particularly described as follows:

Beginning at a point on the East side of the milroad right of way formerly owned by the St. Helens Dock & Terminal Company, which point is 2108, 59 feet South of and 413, 1 leet East of the Southwesterly corner of Block 70 of the City of St. Helens, Columbia County, Oregon; thence South 68°51' East a distance of 364 feet; thence South 27°31' West a distance of 603, 73 feet; thence North 58°51' West a distance of 297 feet, more or less to the Easterly line of said railroad right of way; thence North 21°9' East along the Easterly line of said railroad right of way a distance of 600 feet to the point of beginning, the Easterly boundary of the tract herein described to extend to and be co-terminous with low water line of the Willamette Slough; containing 4,552 acres, more or less.

TRACT 3: A parcel of land in the Thomas H. Smith Donation Land Claim No. 40 in Section Nine (9), Township Four (4) North, Range Ore (1) West of W. M., more particularly described as follows:

Beginning at a point which is located South 19°56! West a distance of 2177.3 feet from the Southwesterly corner of Block 70 of the City of St. Helens, Columbia County, Oregon, said point being the most Westerly corner of fract 1 above described; thence South 21°9! West a distance of 497.76 feet; thence South 68°51! East a distance of 542.27 feet; thence North 26°18'4" West a distance of 736.16 feet to the point of beginning, containing 3.098 acres, more or less.

TRACT 4: A parcel of land in the Thomas H. Smith Donation Land Claim No. 40 in Sections Nine (9) and Ten (10) and Lot Two (2) of Section Ten (10), all in Township Four (4) North, Range One (1) West of W.M., together with all tide and overflow lands fronting and abutting said Lot 2, more particularly described as follows:

Beginning at a point which is located South 19056' West a distance of 2177.3 feet and South 2109! West a distance of 497.76 feet from the Southwesterly corner of Block 70 of the City of St. Helens, Columbia County, Oregon, which point is the Southwest corner of Tract 3 above described; thence South 98051' East a distance of 1100 feet to an intersection with the Easterly right of way line of the property formerly owned by the St. Helens Dock & Terminal Company; thence along said Easterly right of way line North 21091 East a distance of 257.05 feet to a point on the Southerly line of Tract 2, above described; thence along said Southerly line South 68051' East a distance of 297 feet to low water line of the Willamette Slough; thence along said low water line South 30°21' West a distance of 700 feet; thence North 68°51' West a distance of 1285 feet; thence North 2109' East a distance of 441 feet to the point of beginning, excepting and reserving, however, from the herein described land the 100 feet in width railroad right of way included therein, which was formerly owned by the St. Helens Dock & Terminal Company; containing 13.946 acres, more or less.

TRACT 5: A parcel of land in the Thomas H. Smith Donation Land Claim No. 40 in Sections Nine (9) and Ten (10) and Lot Two (2) of Section Ten (10), all in Township Four (4) North, Range One (1) West of W.M., together with all tide and overflow lands fronting and abutting thereon, more particularly described as follows:

Beginning at a point which is South 19°56' West a distance of 2177.3 feet and South 2.°9' West a distance of 938.76 feet from the Southwesterly corner of Block 70 of the City of St. Helens, Columbia County, Oregon, said point being the Southwest corner of Tract 4 above described; thence South 21°9' West a distance of 500 feet; thence South 68°51' East a distance of 1208.20 feet to low water line of the Willamette Slough; thence North 29°53' East along the low water line of said slough a distance of 505.87 feet to the Southerly line of Tract 4, above described; thence along said Southerly line North 68°51' West a distance of 1285 feet to the point of beginning. Excepting therefrom the Spokane, Portland and Seattle Railroad right of way as now established.

TRACT 6: A parcel of land in Lots One (1) and Two (2) of Section Ten (10),
Township Four (4) North, Range One (1) West of W.M., more particularly described as follows:

Beginning at a point which is the intersection of the center line of Columbia Street and the Southerly line of Cowlits Street in the City of St. Helens, Columbia County, Oregon; thence South 16°57' East a distance of 67° feet; thence Southerly along the arc of a curve to the right having a radius of 1°10.08 feet and to which the last described course is tangent, a distance of 1270 feet through an angle of 38°06'; thence South 21°09' West and tangent to the above described curve a distance of 2817.7 feet; thence North 68°51' West a distance of 25 feet to the true point of beginning for this description; thence continuing North 68°51' West a distance of 25 feet; thence South 21°09' West a distance of 1671.5 feet; thence South 68°51' East a distance of 25 feet; thence North 21°09' East a distance of 1671.5 feet to the true point of beginning; containing 0.96 acre, more or less.

TRACT 6-A: A parcel of land in Lots One (1) and Two (2) of Section Ten (.0),

Township Four (4) North, Runge One (1) West of W.M., more particularly described as follows:

Beginning at a point which is the intersection of the center line of Columbia Street and the Southerly line of Cowlitz Street in the City of St. Helens, Columbia County, Oregon; thence South 16°57' East a distance of 670 feet; thence Southerly along the arc of a curve to the right having a radius of 1910.08 feet and to which the last described course is tangent, a distance of 1270 feet through an angle of 38°06'; thence South 21°09' West and tangent to the above described curve a distance of 3317.7 feet; thence South 68°51' East a distance of 25 feet to the true point of beginning for this description; thence continuing South 68°51' East a distance of 25 feet; thence South 21°09' West a distance of 1171.5 feet; thence North 68°51' West a distance of 25 feet; thence North 21°09' East a distance of 1171.5 feet to the true point of beginning; containing 0.67 acre, more or less.

TRACT 6-B: A parcel of land in Lot One (1) of Section Ten (10), Township

Four (4), North, Range One (1) West of W.M., More particularly described as follows:

Beginning at a point which is the intersection of the center line of Columbia Street and the Southerly line of Cowlitz Street in the City of St. Helens, Columbia County, Oregon; thence South 16°57' East 670 feet; thence Southerly along the arc of a 1, 910.08 foot radius curve to the right, and to which the last described course is tangent, a distance of 1, 270.0 feet through an angle of 38°06'; thence South 21°09' West, tangent to said 1910.08 foot radius curve, 2617.7 feet; thence South 68°51' East 25 feet to the true point of beginning for this description; thence continuing South 68°51' East 25 feet; thence South 21°09' West 700 feet; thence North 68°51' West 25 feet: thence North 21°09' East 700 feet to the true point of beginning; containing 0.40 acre, more or less.

TRACT 7: Lot Three (3) of Block Seven (7), Hawley Addition to St. Helens,
Columbia County, Oregon, as per plat on file and of record in the
Clerk's office of haid Columbia County.

TRACT 7-A: Lots One (1), Two (2), Four (4), Five (5), Six (6), Seven (7) and Eight (8) of Block Seven (7), Hawley Addition to St. Helens, Columbia County, Oregon, as per plat on file and of record in the Clerk's office of said Columbia County.

TRACT 8: Blocks Four (4), Ten (10), Eleven (11), Twelve (12), and Thirteen (13), Hawley Addition to St. Helens, Columbia County, Oregon, as per plat on file of record in the Clerk's office of said Columbia County.

TRACT 9-1: A parcel of land in Lots One (1) and Two (2) of Section Ten (10),

Township Four (4) North, Range One (1) West of W.M., together with
all tide and overflow lands fronting and abutting thereon, more particularly described as follows:

Beginning at a point which is South 2108, 59 feet and East 413, 1 feet from the Southwesterly corner of Block 70 of the City of St. Helens, Circgon, said point being the Northwesterly corner of Tract 2, above described, and also being 50 feet Southeasterly at right angles from the center line of the Spokane, Portland and Seattle Railroad; thence parallel to said center line North 21°09! East a distance of 800 feet; thence South 68°251! East a distance of 425.6 feet to the low water line of the Willamette Slough; thence along the said low water line of Willamette Slough South 17°20! West a distance of 366, 8 feet; thence South 5°42! West a distance of 450, 3 feet to a point on the line of the Southeasterly extension of the Northerly line of said Tract 2; thence along the said Northerly line of said Tract 2 and the extension thereof North 68°51! West a distance of 570 feet to the point of beginning, containing 8.76 acres.

TRACT 9-2: A parcel of land in Lot Seven (7) of Section Nine (9) and Lot One (1) of Section Ten (10), Township Four (4) North, Range One (1) West of W.M., more particularly described as follows:

Beginning at a point which is South 1345, 28 feet and West 470, 88 feet from the Southwesterly corner of Block 70, of the City of St. Helens, Oregon, said point being the Northwest corner of Tract 1, above described; thence along the Northeasterly boundary of said Tract 1 South 68'51' East a distance of 174.09 feet to a point on the Southeasterly line of Terrace Street and the true point of beginning for the following described property; thence along the said Southeasterly line of Terrace Street North 29°00' East a distance of 356, 14 feet to the Northeasterly corner of Terrace Street; thence along the said Northeasterly line of said Terrace Street North 61°00! West a distance of 420.0 feet to the Northeasterly extension of the center line of Block 12 of Hawley Addition; thence South 68°51' East a distance of 1193, 31 feet to the Northwesterly right of way line of the Spokane, Portland and Seattle Railroad; thence gouth 21009' West a distance of 310, 10 feet to the most Easterly corner of said Tract 1; thence along said Northeasterly line of said Tract 1 North 68051' West a distance of 200.0 feet; thence South 21009' West a distance of 100.0 feet; thence North 68°51' West a distance of 625.91 feet to the true point of beginning, containing ". 33 acres.

TRAC'S 9-3: A parcel of land in the Thomas H. Smith Donation Land Claim No. 40 in Section Nine (9), Township Four (4) North, Range One (1) West Of W.M., more particularly described as follows:

Beginning at a point which is South 3389, 14 feet and West 1261, 45 feet from the Southwesterly corner of Block 70 of the City of St. Helens, Oregon, said point also being the Southwesterly corner of Tract 5 above described thence North 68°51! West a distance of 1093, 3 feet to a point in the center of Milton Creek; thence along the center of said Milton Creek as follows: North 42°15! East a distance of 122, 4 feet; thence North 61°60! East a distance of 292, 6 feet; thence North

mor 154 mg960

42°47' East a distance of 213.6 feet; thence North 17°57' West a distance of 587.0 feet; thence North 37°22' East a distance of 210.0 feet; thence North 4°22' East a distance of 225.3 feet; thence North 60°37' West a distance of 119.1 feet to the center line of Fir Street (of Hawley Addition to St. Helens) extended Southerly; thence along said Fir Street center line extended North 29°00' East a distance of 23.5 feet to the South line of Brook Street; thence along said South line of Brook Street South 61°00' East a distance of 490.0 feet; thence South 29°00' West a distance of 50.0 feet; thence South 61°00' East a distance of 799.92 feet to a point on the Westerly line of Tract 3, above described; thence South 21°09' West a distance of 1.221.84 feet to the point of beginning; containing 29.92 acres.

TRACT 10: All of those certain rights and privileges with respect to the rairoad and railroad right of way lying between TRACT 1 and TRACT 2 hereinabove described, as granted by Chas. R. McCormick Lumber Co. of Delaware to St. Helens Pulp and Paper Company by an instrument dated December 7, 1925 and recorded December 19, 1925 in Book 40, at Page 328, Deed Records of said County of Columbia.

SUBJECT TO EXCEPTIONS TO TITLE - - - -

- (1) As to TRACT 1, TRACT 2, TRACT 4, and TRACT 10 to an easement conveyed by St. Helens Pulp and Paper Company to Chas. R. McCormick Lumber Co. of Delaware by an instrument dated August 10, 1931 and recorded May 7, 1932 in Book 54, at page 60, Deed Records of said Columbia County, and any interest therein which Spokane, Portland and Scattle Railway Company may have under a deed dated April 1, 1932 and recorded May 7, 1932 in Book 54, at page 255, said Columbia County Deed Records;
- (2) As to TRACT 7 to the reservation made by Columbia County in its deeds recorded June 2, 1951 in Book III, at pages 57 and 58, said Columbia County Deed Records to Chester B. Gillihan;
- (3) As to TRACT 1 and Lots 1, 2, and 3 of Block 7 of said Hawley Addition to St. Helens to the rights granted by St. Helens Pulp & Paper Company to Portland General Electric Company by an instrument dated March 25, 1955 and recorded July 6, 1955 in Book 126, at page 162, said Columbia County Deed Records;
- (4) To visible streets, roads, railroad tracks, power lines, reservation in railroad grants, and, to the extent they will not materially interfere with Grantee's use of any of the property, other rights of way, easements and similar agreements;
- (5) To easements, liens, title defects, charges or encumbrances not incurred in connection with the borrowing of money which, in the aggregate, do not adversely interfere with the use of the foregoing properties for the purpose for which they are owned; to mining claims; to reservation in patents; to water rights; claims or title to water;
- (6) To rights or claims of persons in possession, or claiming to be in possession, not shown of record;
- (7) To assessments which are not shown as existing liens by the public records; to pending proceedings for vacating, opening, or changing of streets or highways preceding entry of the ordinance therefor, and

(8) To any laws, governmental acts or regulations, including, but not limited to, roning ordinances, restricting, regulating or prohibiting the occupancy, use or enjoyment of the land or any improvement thereon, or limiting the height of improvements, or prohibiting a reduction in the dimensions or area or separation in ownership, or any lot or parcel of land; or to the effect of any violation of any such restrictions, regulations, or prohibitions.

together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and also all the Grantor's estate, right, title and interest in and to the same, unto the said Grantee, its successors and assigns, forever.

And said Grantor does covenant to and with said Grantee, its successors and assigns, that it is lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, except as above set forth, and that it will and its successors and assigns, shall warrant and forever defend the above granted premises, and every part and parcel thereof. against the lawful claims and demands of all persons whomspever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed and its corporate seal to be affixed by its proper officials thereunto duly authorized this

day of May, 1964.

CROWN ZELLERBACH CORPORATION

By

Vir: President

STATE OF CALIFORNIA

City and County of San Tuncisco

On this lat day of May , 1964, before me appeared C. S. Cillenbine and J. E. May who being duly sworn did say that he, the said C. S. Cullerbine

ıs the	- 1ce Pro	esident	and	he, the said
J	E. Mirry	is tie	Assistant	ecretary
of CR	OWN ZELLERBA	ACH CORPOR	ATION the w	ithin named corporation, and
that th	e seal affixed to	sand instrum	e it is the corp	orate seal of the said corpora-
i on a	nd t ia: the said i	nstrument wi	s signed and s	ealed in behalf of said corp-
oratio	n by authority of	its Board of	Directors, and	d said _ C S. Cullembine
		and	J. E. Muriay	
ickno	wledged said ins	trument to be	the free act a	nr. deed of said corporation.
	IN TESTIMON	NY WHEREOS	, I have here	into set my hand aid affixed
my of	ficial seal, this	the day and ye	ear in this, my	y ceruficate, first written.
•				
		~~~	Ća	1.04
1	GERALDITIE LA C	OHEN C	_ <u></u>	- colone 1. Co hum
8(5)	C TY AND THE IS			olic in and for
pooon	SOCIOCO GEOGRAPO	occoccodi	Residing at	:: ssion Expires:
			viy Comin	COMEN
				MCT on a country of the target Country of the count
				M.: Community Express and April 1
				1
	•			•
				•
				•
		•		-
				STATE OF ORFGON (
				I certify that the within aptrume
				a time transproportial for removed of
				the day of the company of
				orlink Middle
				· · · · · · · · · · · · · · · · · · ·
	•			Resorts of Gounty.
		÷		Witness my min and real of C
				affixed.
				County Cl
				7> County Cl

5888

Cot 26, 1964 /56-799

Certif of Ownership and Merge

BOISE CASCADE PAPER CORPORATION and ST. HELENS PAPER CORPORATION

into

BOISE CASCADE CORPORATION

BOISE CASCADE CORPORATION By R. W. Halliday Vice Pres

CORP SHAL

ATTEST: Chas F. MoDevitt Asst Sec

Acid

Certification frm State of Delaware

11362 47362 46694

# **M** TICOR TITLE INSURANCE

STATUTORY WARRANTY DEEP

WILBURTA JEAN COFFMAN conveys and warrants to BOISE CASCADE CORPORATION, a Delaware Corporation

Grantor.

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Columbia County, Oregon, to wit:

Lots 1, 2 and 15, BLOCK 5, HAWLEY ADDITION TO ST. HELENS, COLUMBIA COUNTY, OREGON AND THAT PORTION OF VACATED PINE STREET WHICH INURED TO SAID LUTS BY ORDINANCE #2448, RECORDED NOVEMBER 21, 1983, IN BOOK 249, PAGE 872, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES. The said property is free from encumbrances except

EASEMENT for utilities over & across the premises formerly included within the boundaries of PINE STREET, now vacated, if any such exist.

The	true consideration	for this	conveyance	is S	116	,500.	00

(Here comply with the requirements of ORS 93.030)

Dated this 14 day of June 19 88.

WILBURTA JEAN COFFMAN STRUME

State of Oregon, County of Columbia  The foregoing instrument was acknowledged before me this 14" way of Sune 19 88 by Wilburta Seafe Coffman	State of Oregon, County of  The foregoing instrument was acknowledged before me this  day of
	Secretary of a corporation.
Noting Pount Addition	on behalf of the corporation.
My-commission expires: 2/3/92	Notary Public for Oregon My commission expires:

### WARRANTY DEED

WILBURTA JEAN COFFMAN

**BOISE CASCADE CORPORATION** 

Until a change is requested, all tax statements shall be sent to the following address: Boise Cascade Corp. 1300 Kaster Road, St. Helens, OR 97051

Escrow No. 5-66558

Title No. Same

After recording return to: Boise Cascade Corp., 1300 Kaster Road, St. Helens, OR 97051

Tax No. 2-11-4109-011-02300

This Space Reserved for Recorder's Use

GRANIOR

I hereby certify that the withir instrument was received for record and recorded in the County o Columbia, State of Oregon.

700 '88 JN 15 P4:19

A.C. KERRY, County Clerk

Lin C. Tlery

Theor Form No. 137 Statutory Warranty Deed 8/85

# sor Title Insurance

# STATUTORY WARRANTY DEED

FORT OF ST. HELENS, a municipal corporation of the State of Oregon, Grantor, conveys and warrants to BOISE CASCADE CORPORATION, a Delaware corporation, Grantee, the following described real property, free of encumbrances except those specifically set forth herein:

A tract of land in Sections 9 and 10, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at a point in the Thomas H. Smith Donation Land Claim No. 40 in Section 9, Township 4 North, Range 1 West of Willamette Meridian, Columbia County, Oregon, that is South 3,389.14 feet and West 1,261.43 feet from the Southwest corner of Block 70, City of St. Helens; thence South 68°51' East to the Northerly right of way line of the Burlington-Northern Railroad Spur, (formerly Spokane, Portland and Seattle kailroad and also formerly the St. Helens Dock and Terminal Railroad); thence in a general Westerly direction along said Northerly line of the Burlington-Northern Railroad Spur right of way to the east bank of Milton Creek; thence Northeasterly and Northwesterly along the East bank of Milton Creek to a point that is North 68°51' West of the point of beginning; thence South 68°51' East to the point of Beginning .----

The true and actual consideration for this conveyance is \$-0-. The consideration for this transfer is an exchange of property of equal value.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate City or County Planning Department to verify approved uses.

STATUTORY WARRANTY DEED - 1

Until a change is requested, all tax statements are to be sent to the following address: Boise Cascase Corp., 1300 Raster Rd., St. Helens, OR 97051.

DATED this _____ day of November, 1989.
Port of St. Helens

STATE OF OREGON County of Columbia November 8 , 1989

Personally appeared the above named Eric Dahlgron and Dale Heimuller, being the president and secretary of the Port of St. Helens, and acknowledged the foregoing instrument to be their voluntary act. Before me:

> Notary Public for Oregon

My commission expires: 10-11-91

STATUTORY WARRANTY DEED - 2

HUSER, County Clerk

# 02-11 2 4109-011-00601

# TICOR TITLE INSURANCE

STATUTORY WARRANTY DEED

BOCK 259 PACE 248

Michael J. Armstrong and Kimberly R. Armstrong, husband and wife conveys and warrants to Boise Cascade Corporation, A Delaware Corporation

Grantor,

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Columbia County, Oregon, to wit:

LOT 1, BLOCK 2, HAWLEY ADDITION TO ST. HELENS, COLUMBIA COUNTY, CRECON AND THAT PORTION OF VACATED CALIFORNIA STREET WHICH INURED THERETO BY OPDER FILED AUGUST 9, 1965 IN COLUMBIA COUNTY, OREGON COMMISSIONERS JOURNAL AND RECORDED DECEMBER 24, 1973 IN BOOK 194, PAGE 291, DEED RECORDS OF COLUMBIA COUNTY, OREGON, DESCRIBED AS FOLLOWS:

EEGIRNING AT THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK 2, FAWLEY ADDITION TO ST. HELENS, COLUMBIA COUNTY, CREGON; THENCE NORTH 29°0° EAST PARALLEL TO THE WEST LINE OF SAID BLOCK 2 A DISTANCE OF 100 FEET TO THE MOST EASTERLY CORNER OF SAID LOT 1; THENCE NORTH 61°0° WEST ALONG THE MORTH LINE OF SAID LOT 1 AND EXTENSION THEREOF, 75 FEET; THENCE SOUTH 29°0° WEST A DISTANCE OF 100 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT 1; THENCE SOUTH 61°0° EAST ALONG THE SOUTHERLY LINE OF SAID LOT 1 AND ITS WESTERLY EXTENSION A DISTANCE OF 75 FELT TO THE POINT OF BEGINNING.

(see attached)

800K 259 PACE 249

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES. The said property is free from encumbrances except 1985-86 taxes due but not yet payable, easement for utilities over and across the premises formerly included within the boundaries of California Street, now vacated, if any such exist, reservation of 20 foot easement recorded Oct. 28, 1982 in Book 244, page 786, Deed Records of Columbia County, Oregon.

The true consideration for this conveyance is \$ 45,000.90 (Here comply with the requirements of ORS 93.030)

Michael J. Armstrong  Kimberly R. Armstrong	
State of Oregon, County of	State of Oregon, County of
The foregoing instrument was acknowledged before me this 14 day of October 1985 by	The foregoing instrument was acknowledged before me this , 19 by
Michael J. Armstrong and Kimberly R.	President and
Armstrong, husband and wife	Secretary of
Fitte L. Marily	on behalf of the corporation.
Notace Public for Orthon My commission expres: Aug. 14, 1988	Notary Public for Oregon My commission expires:
WARRANTY DEED	This Space Reserved for Recorder's Use
Michael J. Armstrong GRANICA Boise Cascade Corporation GRANICA	4911
Until a change is requested, all tax statements shall be sent to the following address:	WAYA TARA
Boise Cascade Corporation  Kaster Road	
St. Helens, Oregon 97051 Escrow No. 5-64586 Title No.	Dank
After recording return to:	Journ 259. 248
Boise Cascade Corporation	OBreen
Kaster Road St. Helens, Oregon 97051	abreen

Ticor Form No. 137 Statutory Warranty Deed 8/85

BOOK 261 PAGE 213

Deed

# STATUTORY WARRANTY DEED

BART L. LYNCH and ELSIE A. LYNCH, husband and wife, Grantor, convey and warrant to BOISE CASCADE CORPORATION, a Delaware corporation, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

Parcel 1: Lot 4, Block 32, South St. Helens Addition to the City of St. Helens, Columbia County, Oregon.

Parcel 2: That part of Lot 5, lying Southwesterly of Kaster Road, Block 32, South St. Helens Addition to the City of St. Helens, Columbia County, Oregon, EXCEPTING therefrom that portion conveyed to Columbia County by deed recorded February 8, 1968, in Book 168, page 184, Deed Records of Columbia County, Oregon.

The true and actual consideration for this conveyance is \$75,000.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate City or County Planning Department to verify approved uses.

Until a change is requested, all tax statements are to be sent to the following address: 230 Kaster Road, St. Helens, Oregon 97051. DATED this // day of March, 1986.

Bart L. Lynch

Elsie A. Lynch

STATE OF OREGON County of Columbia March 1986.

PERSONALLY appeared the above named BART L. LYNCH and ELSIE A. LYNCH, hus band and wife, and acknowledged the foregoing instrument to be their voldbrak abe. Before me:

Mester Notary Public for Oregon My commission expires: 8/24/88

STATUTORY WARRANTY DEED -1.

PARCEL 1: Beginning at the point of intersection with the Northwesterly right of way
line of the S.P.& S. Railroad and the Northwesterly line of Government Lot 4 in Section 3,
Township 4 North, Range 1 Mest of the Willamette
Moridian, Columbia County, Oregon; thence Southwesterly along the Northwesterly line of said
Government Lot 4 and of Government Lot 6 in
said Section 3 and Northwesterly line of Government Lot 6 in Section 4, said Township and Range
to its intersection with the Northeasterly line
of Hawley Addition to the City of St. Helens,
Columbia County, Oregon; thence South 61°00'
East along the Northeasterly line of said
Hawley Addition to its intersection with the
Northeasterly extension of center line of
Block 12 of said Nawley Addition; thence South
68°51' East 1193.31 feet to the Northwesterly
right of way line of the said S.P.& S. Railroad
right of way; thence North 21°09' Fast along the
Northwesterly right of way line of the said S.P.
& S. Railroad right of way, to the point of
beginning.

PARCEL 2: Beginning at the intersection of the Southeasterly right of way line of the S.P.S. S. Railroad and the Northwesterly line of Government Lot 4 in Section 3, Township 4 North, Range 1 West of the Willamatte Meridian, Columbia County, Oregon, thence Northeasterly along the Northwesterly line of said Government Lot 4 to the low water line of the Willamatte Slough; thence Southwesterly along the low water line of the Millamatte Slough to its intersection of the Northeasterly line of Tract 9-1 conveyed to St. Helens Paper Corporation, a Delaware corporation by deed recorded May 7, 1964 in Book 154, page 896, Deed

Records of Columbia County, Oregon; thence North 68°51' West a distance of 425.6 feet to the Southeasterly right of way line of said S.P.& S. Railroad; thence Northeasterly along the Southeasterly right of way line of said S.P.& S. Railroad to the point of beginning.

### Subject to:

Right, title and interest of the State of Oregon in and to that portion of the above premises lying between ordinary high and low water.

Rights of the public and rights of fishery, mavigation and commerce in the State of Oregon and the United States in that portion of said property lying below high water mark.

Easement and right of way, including the terms and provisions thereof, given by Pope & Talbot, Inc. to Portland General Electric Company, as disclosed in instrument recorded Documber 29, 1954 in Book 124, page 474, Deed Records of Columbia County, Oregon.

Parcie

	STATUTORY WARRANTY DEED 300x 251 MGE 200						
	Granior.						
	conveys and serrants to BOISE CASCADE CORPORATION, a Delaware comporation						
	Granice, the following described real property free of encumbrances except as specifically set forth herein situated in Columbia. County, Oregon, to unit						
	Blocks 8 and 9, inclusive, Hawley Addition to St. Helens, Columbia County, Oregon, lying within the T.S. Spiet Sonation Land Claim.						
	THIS INSTRUMENT COLD NOT GUARANTE THAT ANY STITISTICS AND DESTRUMENT OF THE SACRED TO COLD IN THE INSTRUMENT ASSOCIATION OF THE PROPERTY AND COLD WITH THE ANY COLD WAS THE WAS STORING FOR FROM COLUMN COLD WAS THE WAS STORING FOR FROM COLUMN						
		(Mere compts with the requirements of ORS 93 UNI)					
ice j	Dated this 20th day of Harch 19 84	POPE ATTALBOT DEVELOPMENT, INC.					
	- CONTROL OF THE PROPERTY OF T	Darin d'Europinomam, Mile President  By: March M. Lecus					
lad Re	SEAL E	Ronald M. Percival, Ass't. Secretary					
200	State of Ofference Purpose BASTURBERN	Washington State of Burgan, County of Kitsan					
4	The foregroup visitation was acknowledged before me this day of by	The integring instrument was acknowledged before me this 20th day of March 1984 by David Cunningham, Yice President and					
		Ronald M. Percival Ass't Service of					
		on behalf of the corporation					
∦	Notary Public for Oregon	George M Lochae					
-	My commission express	My commission rapin November 1, 1985					
	WARRANTY DEED	This Space Reserved for Recorder's Use					
:	UPA BU	· 1					
	Until a change is requested, all tax statements shall be	-					
	ent to the following address: Boise Cascade Corporation	STARE (a feet and see					
- 11,	St. Helens, Or. 97051						
Ш	Escret Ne 5-63464 Title Ne.	Deck : 25/ 200					
2	Alter receiving results to Roise Cascade Corporation Attn: Dick McDonald	DE 351 300					
	StHelens, Or. 97051	The Bran					
	Them E-137 Statution Warrants Clind						
V-Pro-	Treat F-13. Statution Warrants Cred	- X					
		B					
		·					
		MAR 2 2 .198					

-07300 -07300

# TICOR TITLE INSURANCE 252 4546

STATUTORY WARRANTY DEED

MICHAEL R. YEIRANN and CHRISTY A. NEUMANN, husband and wife

Comporation a

---- Grane.

Grance, the following described real property free of exchangements except as specifically an forth herein standard of

<u>Columbia</u> Cour

Recorded By ( 3

25

Beginning at the most Northerly corner of Lot 9, Block 32, South St. Helens in Section 9, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon as purplat on file and of record in the Clerks office of Columbia County, Oregon; thence South 46°46' East, along the Mortheasterly line of said Lot 9, a distance of 16.77 feet to the most Northerly corner of that tract as described in Book 59, page 125, Dued Records of Columbia County, Oregon; thence South 43°14' West, along the Northeasterly line of said tract, a distance of 157.85 feet to the Hortheasterly right of way line of kaster Road; thence North 42°37' West, along said Hortheasterly right of way line, 3 Mistance of 94.51 feet to a point on the Southerly line of the H.M. Knighton Donation Claim which is North 70°24' East 32.59 feet from the Southwest corner of said Knighton Donation Land Claim; thence continuing along said Northeasterly right of way line North 42°37' Hest a distance of 4.21 feet; thence Borth 20°14' Mest a distance of 32.56 feet to the Southeasterly right of way line of Old Portland Road; thence North 41°49'30" East, along said Southeasterly right of way line, a distance of 123.47 feet; thence South 48°48'49" East a distance of 109.41 feet to the Southerly line of said Knighton Donation Land Claim; thence Rorth 70°24' East along said Southerly line a distance of 9.90 feet to the point of beginning.

au 96

Lots 9, 7001

252-546

2792

JUN 20 1984



(see attached)	
	sox 252 ≈£547
THES INSTRUMENT DIDES NOT QUARANTEE THAT ANY PARTICLE. STRUMENT A BLOFF SKILLD CHECK WITH THE APPRIPHEATE CIT.	AR USE MAY HE MADE OF THE PROPERTY DUSTRIBED IN THIS I Y UR COUNTY PLANNIC DEPARTMENT TO VEHICL APPROVED USE
The mid property is frue from encumbranium energic	- <del></del>
Rights of the public in roads and highway:	<b>i.</b>
4	
The true counders to you for they conveyence u 5 87,000.00	
Onced the 1560 day of Jones 19 84	· · · · · · · · · · · · · · · · · · ·
Dated the 15th day of	Whit a Thumann
TI (NEUMANN	Cluristy As Neumann
State of Ovegon, County of <u>Columbia</u>	State of Oregon, County of
The foregoing instrument was acknowledged before me than	The foregoing instrument was acknowledged before me to
15 day ofhine 19_84 =	
RIPHARI E MANAGEMENT INCIDENT	
hishand and wife	Secretary
husband and wife	
husband and wife	Secretary
For I mark	
Neuri Public for Origina Aug. 14, 1988	Secretary on behalf of the corporation.
Notice Public for Overgon Aug. 14, 1984	Secretary
Neuri Public for Origina Aug. 14, 1984	Secretary on behalf of the corporation.  Senser Public for Ovegen My commission on prets.
Neuri Public for Origina Aug. 14, 1984 My communication captern: WARRANTY DEED	Secretary  corporate  on behalf of the corporatests.  Notary Public for Oregon
Notes Public for Origina Aug. 14, 1984  My companion capital  WARRANTY DEED  Hichael R. Heumann, et ux  I Roise Cascade Delmare Corn.	Secretary on behalf of the corporation.  Notice Public for Origina My communication experies.  Thu Spee Reserved for Recorder's Use
My commune capen.  WARRANTY DEED  Michael R. Reumann, et ux	Secretary on behalf of the corporation.  Notice Public for Origina My communication experies.  Thu Spee Reserved for Recorder's Use
Notice To Die of Origina Aug. 14, 1984  WARRANTY DEED  Michael R. Reumann, et ux  1 Boise Cascade Delemare Corp.	Secretary on behalf of the corporation.  Notice Public for Origina My communication experies.  Thu Spee Reserved for Recorder's Use
WARRANTY DEED  Hichael R. Heumann, et ux  Boise Cascade Delenare Corp.  Canal a change a represent, all tax garagement shall be	Secretary on behalf of the corporation.  Notice Public for Origina My communication experies.  Thu Spee Reserved for Recorder's Use
Notes: Public for Oregon Aug. 14, 1984  My communion capron:  WARRANTY DEED  Michael R. Reumann, et ux  1 Boise Cascade Delengre Corp.  Communication of the	Secretary on behalf of the corporation.  Notice Public for Origina My communication experies.  Thu Spee Reserved for Recorder's Use
WARRANTY DEED  Michael R. Neumann, et ux  Boise Cascade Delemere Corp.  Lind a change is requested, all tax management shall be used to the Cascade Boise Cascade	Secretary on behalf of the corporation.  Notice Public for Origina My communication experies.  Thu Spee Reserved for Recorder's Use
WARRANTY DEED  Hichael R. Heumann, et ux  Boise Cascade Delengre Corp.  Lind a change is requested, all tax management shall be used to the company of the c	Secretary on behalf of the corporation.  Votary Public for Origina My communication on parts.  This Space Reserved for Recorder's Use  STart  COS 1
WARRANTY DEED  Michael R. Neumann, et ux  I Boise Cascade Delemere Corp.  Umal a change a requested, all tax management shall be urin to the following address:  Boise Lascade  Kaster Rd.  St. Helens, Oregon 97051  Emree No. 5-63525  Title No.	Secretary on behalf of the corporation.  Sensor Public for Origon My opministed capture.  The Speer Americal for Recorder's Use  2732  STATUTE OF STATUTE
WARRANTY DEED  Michael R. Neumann, et ux  Boise Cascade Delemere Corp.  Lind a change is requested, off the instance and the following address:  Boise Assade  Kaster Rd.  St. Helens, Oregon 97051  Extrem No. 5-63525  Tide No.  After recording return by	Secretary on behalf of the corporation.  Votary Public for Origina My communication on parts.  This Space Reserved for Recorder's Use  STart  COS 1
WARRANTY DEED  Michael R. Neumann, et ux  I Boise Cascade Delemere Corp.  Umal a change a requested, all tax management shall be urin to the following address:  Boise Lascade  Kaster Rd.  St. Helens, Oregon 97051  Emree No. 5-63525  Title No.	Secretary on behalf of the corporation.  Sensor Public for Origon My opministed capture.  The Speer Americal for Recorder's Use  2732  STATUTE OF STATUTE

Ticor F-137 Statemeny Warranty Day

2792

JUN 2 0 1984



4)2-11 2 4104-043=07500

63.627

# STATUTORY WARRANTY DEED

BOX 252 mg 269
RAYMOND L. WESTLEY, Grantor, conveys and warrants to
BOISE CASCADE CORPORATION, Grantee, the following described real
property, free of encumbrances except as specifically set forth

The Northerly 55 feet of the Southerly 165 feet of Lots 9, 10 and 11, in Block 32, in South St. Halens Addition to St. Helens, Oregon, in the Thos. E. Smith Donation Land Claim, lying East of Easter Road, and more particularly described as follows, to-wit:

Beginning at a point in the West line of Lot 8 in Block 32, in said addition, according to the plat thereof on file and of record in the office of the County Clark of said Columbia County, which is 110 feet Northwesterly of the Southwest corner of said Lot 8; thence Northwesterly along said West line a distance of 55 feet; thence South 44*20* West to the East line of said Kaster Road; thence Southeasterly along the Easterly line of said road to a point that is Northwesterly 110 feet, at right angles, to the North line of Seventh Street in said addition and thence North 44*20* East to the place of beginning.

Subject to and excepting:

Restrictions and conditions contained in deed from Chas. R. McCormick Lumber Co., of Delaware, a corporation of Delaware to Merton M. Hiller, recorded Nay 29, 1936 in Book 59, page 125, Deed Records of Columbia County, Oregon.

The true and actual consideration for this conveyance is \$38,000.00.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate City or County Planning Department to verify approved uses.

STATUTORT WARRANTY DEED -1.

berein:

Poto 19,70 x 7

252-269

2473

a e auc

63463

# 02-11 2 4104-043-07900

# STATUTORY WARRANTY DEED BOX 251 MCE 165

OWEN ALBERT EARRISON and OLA NELL EARRISON, husband and wife, Grantor, convey and warrant to BOISE CASCADE CORPORATION, a Delaware corporation, Grantse, the following described real property, free of encumbrances except as specifically set forth herein:

Parcel 1: Beginning st the most Westerly corner of Block 2, Hawley Addition to St. Helens, Oregon; running thence South 61°0' East, along the Southerly line of said Block 2, 50.0 feet to the most Southerly corner of Lot 1, Block 2; thence North 29°0' East along the Easterly line of said Lot 1, and an extension thereof, 200 feet to a point on the Northerly line of Lot 19, Block 2 which is the most Easterly corner of the Fred E. Rickert et ux tract as deacribed in deed recorded July 8, 1980, in Book 231, page 567, Deed Records of Columbia County, Oregon, and the true point of beginning of the parcel herein described; thence North 29° East along the Northerly extension of the Easterly line of said Lot 1, 300 feet to a point in the Northeasterly line of said Block 2; thence North 61°0' West, along the Northeasterly line of said Block 2; thence South 29°0' West, along the Westerly corner of said Block 2; thence South 29°0' West, along the Westerly line of said Block 2, 300 feet to the North line of said Rickert et ux tract; thence South 61°0' East along the North line of said Rickert et ux tract; thence South 61°0' East along the North line of said Rickert et ux tract; thence South 61°0' East along the North line of said Rickert et ux tract; thence South 61°0' East along the North line of said Rickert et ux tract;

Parcel 2: Lots 1, 2, 3, 4, 5, 6, 7 and that portion of Lot 8, lying within the T. B. Smith Donation Land Claim, all in Block 1 Bawley Addition to St. Belens, Columbia County, Oregon.

Parcel 3: All that portion of vacated California Street, vacated by Order in Commissioners Journal Q, pages 276 and 403, and recorded in Book 194, page 291, Deed Records of Columbia County, Oregon, more particularly described as follows: Westerning at the most Westerly corner of the Fred E. Rickert et ux tract as described in deed recorded July 8, 1980, in Book 231, page 569, Deed Records of Columbia County, Oregon, said point being North 61°0' West 75 feet from the most Southerly corner of Lot 1, Block 2, Hawley Addition to St. Belens; thence North 29°0' East along the Westerly line of said Rickert et ux tract a distance of 200 feet to the most Mortherly corner thereof; thence South 61°0' East along the North line of said Rickert et ux tract 25 feet to the Westerly line of Block 2/lin

STATUTORY WARRANTY DEED -1.

251-165

1127

MAR

# 300x 251 MCE 166

said Hawley Addition; thence North 29°0° East along the Westerly line of said Block 2, to the most Hortherly corner of said Block 2, being on the Southerly line of Park Street as shown on the Plat of said Bawley Addition; thence North 61°0° West along the Southerly line of said Park Street to the Easterly line of Block 1 in said Hawley Addition; thence South 29°0° West along the Easterly line of said Block 1 to the Northerly line of Kaster Street, said point being the Southerly line of said wacated California Street; thence South 61°0° East along the Northerly line of said Kaster Street 35 feet to the point of beginning.

Subject to and excepting:

 Easemeths for utilities over and across the premises formerly included within the boundaries of California Street, now vacated, if any such exist.

The true and actual consideration for this conveyance is \$35,000.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate City or County Planning Department to verify approved uses.

Until a change is requested, all tax statements are to be sent to the following address: Boiss Cascade Corporation, Kaster Road, St. Helens, Oregon 97051.

DATED this al day of March, 1984.

One Charl Home
above named OMEH ALBERT HARRISON and wife, and acknowledged the foregoing
Notary Public for Oregon My commission expires: 5-4-85

STATE OF OREGON,

County of Maltsonach

BE IT REMEMBERED, That on this 21 day of MATCH 1984
below one, the tenders good, a Notory Public in and for mid County and State, personally appeared the within manual 01s Ngli Heatile on

treams to one to be the identical individual described in and who control the within instrument and activated day on the instrument and activated day on the instrument of the same irrely and released.

Riturn Tanger (1975)

At Helens, On 97355173

Meters Public for Oregon at Communication and other control of the day and year last above writing.

Meters Public for Oregon at Communication and other control of the day and year last above writing.

Meters Public for Oregon at Communication and control of the day and year last above writing.

Meters Public for Oregon at Communication and control of the day and year last above writing.

Meters Public for Oregon at Communication and control of the day and year last above writing.

Meters Public for Oregon at Communication and control of the day and year last above writing.

Meters Public for Oregon at Communication and control of the day and year last above writing.

OWEN ALBERT HARRISON and OLA NELL HARRISON, husband and wife,

BOISE CASCADE COPPORATION, a Dela-

ِّ <b>د</b> ہ	11 2 4109-011-60709 3533	
	STATUTORY WARRANTY DEED 354 COO	
	BERNARD W. ANDERSON and GLORIA J. ANDERSON 330K 254 PLCE 686	Sept Tree
	CONTROL IN COLUMN AND ADDRESS CASCADE CORPORATION A DELEVARE CORPORATION	
5-6333	Granum, the following described real property free of encumbrishors examp as specifically set forth between entwards and Columbia.  Columbia.  Columbia.  County Organ, is set. Lots 2,3,4,5,6,7,8,9,10,11,12 and the Southeaster yourselves of Jots 13,14,15,16,17,18,19 and 20. ALL in Block 2, Hawley Addition to St. Helens, Oregon, being more particularly described as beginning at the most southerly corner of said Block 2 and running North 61° West for a distance of 150 feet to the most Westerly corner of lot 2, Block 2; thence North 29° East for a distance of 500 feet to a point on the Morth-easterly line of Block 2; thence South 61° East 150 feet to the most Easterly corner of Block 2; thence South 61° East 150 feet to the most Easterly corner of Block 2; thence South 29° West along Southeasterly line of Block 2 for a distance of 500 feet to the point of beginning  This instrument Does not QUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THES INSTRUMENT ABLIERS SHOULD GREEK WITH THE APPROPMENTE CITY OR COUNTY PLANNING DEPARTMENT TO VETWY APPROPMED USES.  The most greek of the free recumbrishom except.  any improvement located upon the insured property, which is described or defined as a Mobil Home under the provisions of Chapter 481.	
4	The true consideration for this conveyance is \$ _120,000.00 (Here comply with the requirements of ORS \$1.030)	
Aconded	David this 8 day of November 19 84	
Beer	Bernard te Anderson  Gloria J. Anderson	Ala.
	State of Oregon, County of Columbia State of Oregon, County of The foregoing instrument was acknowledged before me this The foregoing instrument was acknowledged before me this	
	Remard N. Anderson and Gloria J. Anderson  Secondly of	
	ps behalf of the corporation.	
	Notary Public for Oragon Aug. 14, 1988  Notary Public for Oragon Aug. 14, 1988  Notary Public for Oragon My commission expires:  My examination expires:	
	WARRANTY DEED This Space Reserved for Reserved Um  Bernard H. Anderson 5540	
	Boise Cascade Corporation aumin	
	Until a change is requested, all tax steaming shall be sent to the following address:  Soise Cascade Corporation  COUNTY 1	
	St. Halens, Oregon 97051	
	No se Carcade Corporation	3
	St. Halans, Oragon 97061 St. Acres DEP.	C/Tab
	Tion F-137 Seasonry Warranty Daniel	. A.
··•		_
•	$\wp$	$, \mid$
	Toto 2,3,4,5,6,7,8,9,10,11	//
	13,14,75,76, 17, F8, 74 + DO	7

STOREST SERVER STREET STREET, TOTAL TOTAL न । इस्ति कार्या कर्नुकारा में कार्य के स्वर्थ कर है । इस्ति कर विकास कर विकास कर विकास कर विकास कर विकास कर व or the significant boundary in the Oracedy, does hereby pargain, sell and convey unto BOISE CASCADE CORPORATION Delaware corporation thereinafter called grantee and grantee's he tenements hereditaments and appurtenances thereunto belongno or appertaining situated in the County of Columbia, and
state of Oregon more particularly described in Exhibit A To Have and to Hold the same unto the said grantee

and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor 1. lawfully seized in fee simple of the above granted premises, free from all encumbrances except as hereinabove noted and excepting further any taxes assessments, or public charges deed and further excepting all encumbrances created or suffered by the confees of envoice claiming by through, or under it, and that arentor will variant and forever defend the above ranted premises and every part and parcel thereof against the lavini Gaims and demands of the persons whomsoever, except

soor 180 na 272

those claiming under the above described encumbrances

The true and actual consideration paid for this

transfer, stated in terms of dollars, is \$ 500,000

Done by order of the grantor's board of directors

this 10 day of February, 1971.

POPE & TALBOT, INC.

By Jen Wice Fresid

Βv

Assistant Secretary

STATE OF OREGON

County of Multhameh

February /0 , 1971.

Personally appeared Guy B. Pope and George A. Pope III who, being duly sworn, each for himself and not one for the other, did say that the former is the vice president and that the latter is the assistant secretary of POPE & TALBOT, INC., a California corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

PUBLIC

Notary Public for Oregon
My Commission Expires: 4-7-7/

The following property in the City of St. Helens, according to the recorded Plat thereof, records of Columbia County, Oregon, in the County of Columbia, State of Oregon:

Lots 1 through 14, Block 6;

Lots 1 through 11, Block 7:

Lots 1 through 7, Block 9;

Lots 1 through 6, the South 18 feet of Lot 7, and all of Lots 15 through 22, Block 10;

The East 85 feet of the South 8 feet of Lot 20 and the East 85 feet of Lots 21 and 22, Block 19;

Lots 1 through 6, Block 20;

That part of Lot 7, Block 20, described as follows:

Beginning at the Southeast corner of said Not 7; thence along the East line of Lot 7 North 16°57'30" West 59.0 feet to the Northeast corner of Lot 7; thence along the North line of Lot 7 South 73°02'30" West 10.0 feet; thence South 2°03'30" West 61.35 feet to the South line of Lot 7; thence North 73°02'30" East 30.0 feet to the point of beginning.

That part of Lot 11, Block 20, described as follows:

Beginning at the Northwest corner of said Lot 11; thence Easterly along the Northerly line of said lot, 35 feet; thence Southerly and parallel with the Westerly boundary of said lot a distance of 40 feet; thence Westerly and parallel with the Northerly boundary of said lot a distance of 35 feet to a point on the Westerly line of said lot and thence to the point of beginning.

Lots 12 through 22, Block 20, EXCEPT the railroad right of way conveyed to Spokane, Portland, and Scattle Railway Company by deed recorded May 7, 1932 in Book 54, page 265, Deed Records of Columbia County, Oregon;

Lots 1, 2, 3, and 4, Block 21, EXCEPT the railroad right of way convoyed to Spokane, Portland, and Seattle Railway Company by deed recorded May 7, 1932 in Book 54, page 265, Deed Records of Columbia County, Oregon;

Lots 1 through 22, Block 23, EXCEPT the railroad right of way convayed to Spokane, Portland, and Seattle Railway Company by deed recorded May 7, 1932 in Book 54, page 265, Deed Records of Columbia County, Oregon;

EXHIBIT A

That part of Lot 22, Block 24, described as follows:

Beginning at the Southeast corner of said Lot 22; thence North 16° 57'30" West 40 feet; thence South 28°02'30" West 56.57 feet to the South line of Lot 22; thence North 73°02'30" East 40 feet on the South line of Lot 22 to the point of beginning.

The following described property, lying within vacated streets in the City of St. Helens, according to the recorded Plat thereof, records of Columbia County, Oregon, in the County of Columbia, State of Oregon:

That part of Strand Street vacated by Ordinance No. 707 of the City of St. Helens, recorded July 7, 1941, in Book 68, page 438, Deed Records of Columbia County, Oregon, described as follows:

Beginning at the Northeast corner of 1st 15, Block 16 of the City of St. Nelens; thence going in a Southerly direction along the Easterly line of enid Lot 15 and an extension thereof, which is also the Westerly line of the Strand Street for a distance of 98 feet; thence in an Easterly direction along a line parallel to the South line of said Lot 15 and 40 feet distant in a Southerly direction therefrom to the intersection of such line with the East line of the Strand Street; thence in a Northerly direction along the East line of the Strand Street to a point where the extension of the North line of said Lot 15 intersects the East line of the Strand Street; thence Westerly to the point of beginning.

That part of Strand Street vacated by Ordinance No. 155 of the City of St. Helens, a Plat of vacation of which was recorded in Book 2, page 6, Records of Plats, Columbia County, Oregon, described as follows:

All that portion of the Strand in said City, described as beginning at a point in the Easterly boundary line of lot 16 in Block 10, which is South 16°57' Test 40 feet from the Northeast corner of said lot 16; thence South 16°57' East 124 feet; thence North 73°02' East 80 feet; thence North 16°57' West 124 feet; thence South 73°03' West 80 feet to the point of beginning.

Those portions of Strand Street, River Street, Columbia Street (now First Street) Tualatin Street, Plymouth Street and Casenau Street, (now Second Street) vacated by Ordinance No. 77 and prior ordinances of the City of St. Helens, a Plat of vacation of which was recorded in Plat Book 1 page 7, Rocords of Plats of Columbia County, Oregon, described as follows:

The sound of the property of t

भिनाम निजयम्बाताम विक्रिक्ति । विक्रिक्ति ।

continue of the state of the st

भितः जनमञ्जूष्टा के मुस्ताविक्षाः अभित्याः प्रस्तावको जा कारकारम्याः एक भिन्नि जेट भितः स्ट्रिक्त को अभ्यानिको अस्ताविक्षाः अस्ताविक्षाः अस्ताविक्षाः अस्ति स्ट्रिक्ति केर्निकार्यः । एक्ष्यः विक्षाः जेवति स्वानकर्ति को नकार्याक्षाः स्वातिकः अस्ताविकः विक्षान्त्रस्थिति ।

विकार । विकार के प्राप्त के प्रा

प्राचाति वृद्धिभागित भूति और अस्ति अस्ति

THE PORTROLOGY DEPOSITE OF CONTINUES OF CONT

George of Columbia County) Oregon scarce been a column as a county or care been seen as a county of the county of

Reging hour theorems corner of of the Block 20. depose the Relenge thence South 73 02 137 sweet a distance of 70 feet, thence parallel to the Westerly Line of said Block 20 South 6.57 23 Page 1 distance of 40 0 feet; thence North 71 02 17 Past distance of 7.0 feet; thence beginning the Westerly Line of said Block 20 North 6.57 23 West-A distance of 7.0 feet to the point of beginning

everteen eines in columbia county eragon constitution and land mai

The specific of the specific o

The state of the s

South 74°30' West 97 links; thence to the place of beginning, all being in front of Section 3, Township 4 North, Range 1 West, Willam-Cette Meridian, as granted by the State of Oregon, by deed recorded March 22, 1882, in Book G, page 270, Deed Records of Columbia County, Oregon.

That certain tract commencing at a point on the prolongation of the division line between Lots 12 and 13 of Block 10 of the City of St. Relens, Oregon, North 74°30' East 60 feet from the Northeast corner of said Lot 13, and thence running North 74°30' East 183.54 feet to mean low water mark of the Columbia River; thence South 14°15' East along the mean low water line of said river 116.82 feet to the intersection with the Easterly extension of the boundary line between Lots 14 and 15 of said Block 10; thence South 74°30' West along the course of the last mentioned boundary line prolonged to a point 60 feet from the Northeast corner of said Lot 15; thence to the place of beginning and containing a portion of the Strand and all the tidelands in front of Lots 13 and 14 of Block 10 of the City of St. Helens, Oregon, according to the official map or plat thereof, the Tidolands included therein as granted by the State of Oregon by deed recorded September 7, 1882 in Book G, page 383, Deed Records of Columbia County, Oregon.

All of the Tidelands and Overflow lands lying East of and in front of Lot 15, Block 10, City of St. Helens, according to the recorded Plat thereof; All the tidelands, overflow lands lying East of and in front of Lots 16, 17, 18, 19 and 20 of Block 10, City of St. Helens, according to the recorded Plat thereof, as granted by the State of Oregon, by deed recorded August 22, 1907, in Book 10, page 62, in front of Lot 16, by deed recorded May 7, 1883 in Book H, page 79, in front of Lot 17, by deed recorded May 7, 1883 in Book H, page 80, in front of Lots 18, 19 and 20, all in Deed Records of Columbia County, Oregon.

All that tract or parcel of land commencing at a point North 74°30' . East 80 feet from the Southeast corner of Lot 22, Block 11, of the City of St. Helens, Oregon, as per plat on file and of record in the office of the Clerk for Columbia County, Oregon, said point being in the line of the northerly boundary of cowlitz Street of said City of St. Helens, if extended; thence running at right angles to the line of said street, South 15°30' East, 11 feet; thence North 74°30' East sfollowing the course of said Cowlitz Street to the line of low water mark of the Columbia River; thence following the meander line of low water mark of said river in a Northerly direction to its intersection with the Easterly prolongation of the line dividing Lots 21 and 22 of Block 11, City of St. Helens; thence following the said prolonged division line South 74°30' West to a point 80 feet@from the Northeast corner of said Lot 22, Block 11, and thence South 15°30' East 57 feet to the place of beginning, together with all tidelands, tideflats, and submerged lands adjacent to the above described property, the Tidelands included therein as granted by the State of Oregon, in deed recorded May 20, 1882, in Book G, page 298, Dead Records of Columbia County, Oregon,

A tract of land fronting on Section 3, Township 4 North, Range 1 West, Willamette Meridian, bounded and described as commencing at a point North 74°30' East 80 feet from the Northeast corner of Lot 12, Block 10, City of St. Helens, Columbia County, Oregon, said point being in the line of the easterly prolongation of the Southerly boundary line of Cowlitz Street; thence North 15°30' West and at right angles to the Southerly line of Cowlitz Street 69 feet to a point; thence North 74°30' East to the meander line of low water mark; thence Southerly along the meander line of low water mark to the intersection of the Easterly extension of the Southerly boundary line of said Cowlitz Street; thence running South 74°30' West and on the said prolonged Southerly line of said Cowlitz Street to the point of beginning, the Tidelands included therein as granted by the State of Oregon in Deed recorded May 20, 1882 in Book G, page 298, Deed Records of Columbia County, Oregon.

All of Government Lot 4 of Section 9, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon.

All of Government Lots 2, 3, 4, and 5 of Section 16, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon.

SUBJECT ONLY TO THE FOLLOWING EXCEPTIONS:

1. Taxes for the year 1970-71 payable in the following amounts, plus interest, and under the following account numbers:

\$74,251.02	Account No. 2G	, 2409, first quarter paid,
\$7.62		, 2410-1 paid in full.
\$24.88	Account No. 2G	, 2419 paid in full.
\$128.73	Account No. 2G	, 2443 first quarter paid.
\$24.37	Account No. 2G	, 2606 paid in full.
\$3.05	Account No. 2G	, 2607-1 paid in full.
<b>\$55.86</b>	Account No. 2G	, 2612 paid in full.
\$16.00	Account No. 2G	, 2613 paid in full.
\$3.55	Account No. 2G	, 2638-1-1 paid in full.
\$628.94	Account No. 2B	, 1641-1 first quarter paid.

2. The rights of the public in and to that portion of the property lying within the limits of roads and highways.

- 3. The rights of the public and of governmental bodies in and to any portion of the above property lying below high water mark of the Columbia River and in and to said water.
- 4. The interest of the State of Oregon in the Tidelands and overflow lands lying East of and in front of Lot 15, Block 10, City of St. Helons, to which we find no record of a deed from the State of Oregon.
- 5. Withdrawal of the following property from the Torrens System of Title Registration and restoration thereof to the recording system and the following instrument which is filed in Torrens:

A deed by St. Helens Mill Company, a corporation, to St. Helens Lumber Company, a corporation, indexed in Registered Titles in Book 1, page 193, Columbia County, Oregon, Certificate No. 193, Document No. 737, affecting Lots 6, 10 and 11, Block 7; Lots 1 and 2, Block 9; Lots 3,4 and 5 in Block 20; Lots 1, 2, 3, and 4, Block 21; Lots 2, 4, 5, 6, 7, 8, 13, 14, 15, 16, 17, 18, 19, 20 and 21 in Block 23. All in the City of St. Helens, Oregon.

- 6. Reservation by the City of St. Helens in Ordinance No. 155, recorded in Book 2, page 6, Records of Plats, Columbia County, Oregon, in the vacation of a street, as follows: "This vacation shall always be subject to the right and the City of St. Helens, Oregon, hereby reserves the right to itself or to any person interested to enter upon said portion so vacated through Lots five and eighteen in Plock 10 aforesaid, for the purpose of repairing or relaying, when necessary, the sewer now located therein."
- 7. An easement created by instrument, including the terms and provisions thereof, dated December 29, 1914, recorded November 10, 1917 in Book 25; page 405, Deed Records of Columbia County, Oregon, in favor of City of St. Helens for right of way for a city sewer and drain pips or pipes, through, under or across Lots 2, 3, and 21, Block 19, City of St. Helens, in accordance with and on the line designated and shown on the plan for such sewer made by J. A. McQuinn, City Engineer, adopted by the City on December 7, 1914, with the right to enter for the purpose of excavating for, constructing and establishing such sewer.
- 8. An easement created by instrument, including the terms and provisions thereof, dated May 3, 1939, recorded May 19, 1939, in Book 64, page 232, Deed Records of Columbia County, Oregon, in favor of Portland General Electric Company for right of way for electrical transmission lines etc.
- 9. An easement created by instrument, including the terms and provisions thereof, dated October 12, 1932, recorded November 22, 1932, in Book 55, page 55, Deed Records of Columbia County, Oregon, in favor of Spokane, Portland and Seattle Railway Company, a Washington corporation, for slopes of fill adjoining the right of way conveyed in Book 54, page 265, Deed Records.

10. An easement created by instrument, including the terms and provisions thereof, dated June 16, 1960, procorded July 13, 1960, in Book 142, page 813, Deed Records of Columbial County, Oregon, in favor for Spokane, Portland and Seattle Railway Company for railroad track, and the seattle Railway Company for railroad track, and the seattle Railway Company for railroad track, and the seattle Railway Company for railroad track.

11. An easement created by instrument, including the terms and provisions thereof, dated April 29, 1963, Frecorded May 27, 1963 in Book 152, page 204, Deed Records of Columbia County, Oregon, in favor of Spokane, Portland and Scattle Railway Company for railroad track.

12. An ensement created by instrument, including the terms and provisions thereof, dated October 19, 1964, recorded November 17, 1964, in Book 156, page 690, Deed Records of Columbia County, 1880, Oregon, in favor of Spokane, Portland and Seattle Railway Company for railroad track.

13. An easement created by instrument, including the terms and provisions thereof, dated February 20, 1969, recorded August 15, 1969 in Book 174, page 339, Deed Records of Columbia County, Oregon, in favor of City of St. Helens, for right of way for sewer and drain pipe, or pipes, with right of ingress and eggress.

14. An easement created by instrument, including the terms and provisions thereof, dated January 29, 1957, unrecorded, in favor of the City of St. Helens, for right of way and access to underground pipelines and mains.

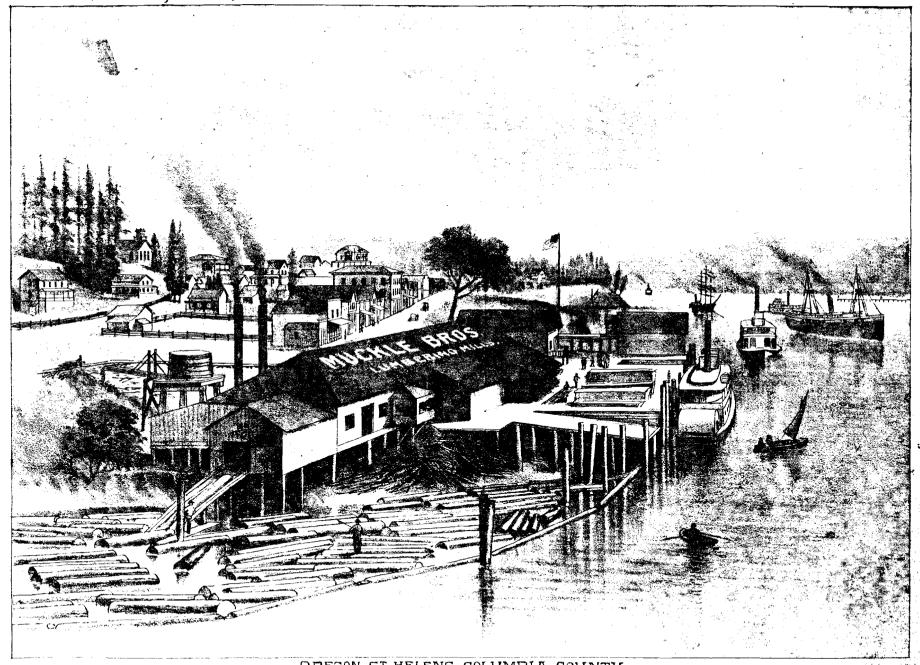
846



### ATTACHMENT C-3

### MISCELLANEOUS DOCUMENTS

- C-3.1 Drawing of the Muckle Brothers Lumbering Mills' sawmill, St. Helens, Oregon, from the West Shore Magazine, June 1883.
- C-3.2 Photographs of the sawmill originally constructed by the McCormick brothers in 1908-09, dating from the period 1909-21. Oregon Historical Society #927-A, negatives 71984, 88203.
- C-3.3 Undated aerial photograph of the sawmill originally constructed by the McCormick brothers in 1908-09, as it appeared in the 1940s or early 1950s, when owned by Pope & Talbot, Inc. Oregon Historical Society #927-A, negative 12349.
- C-3.4 Drawing of the sawmill originally constructed by the McCormick brothers in 1908-09, dated December 1911.
- C-3.5 Drawing of the sawmill originally constructed by the McCormick brothers in 1908-09, dated November 1921.
- C-3.6 Metsker's Atlas of Columbia County, Oregon, October 1928; Township 4 North, Range 1 West, W.M.



OREGON-SI HELENS · COLUMBIA · COUNTY ·

ORIGINAL

- 645 -45 71984

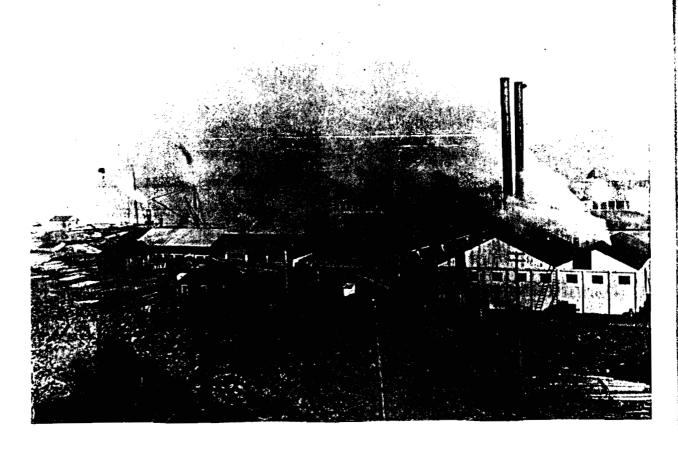


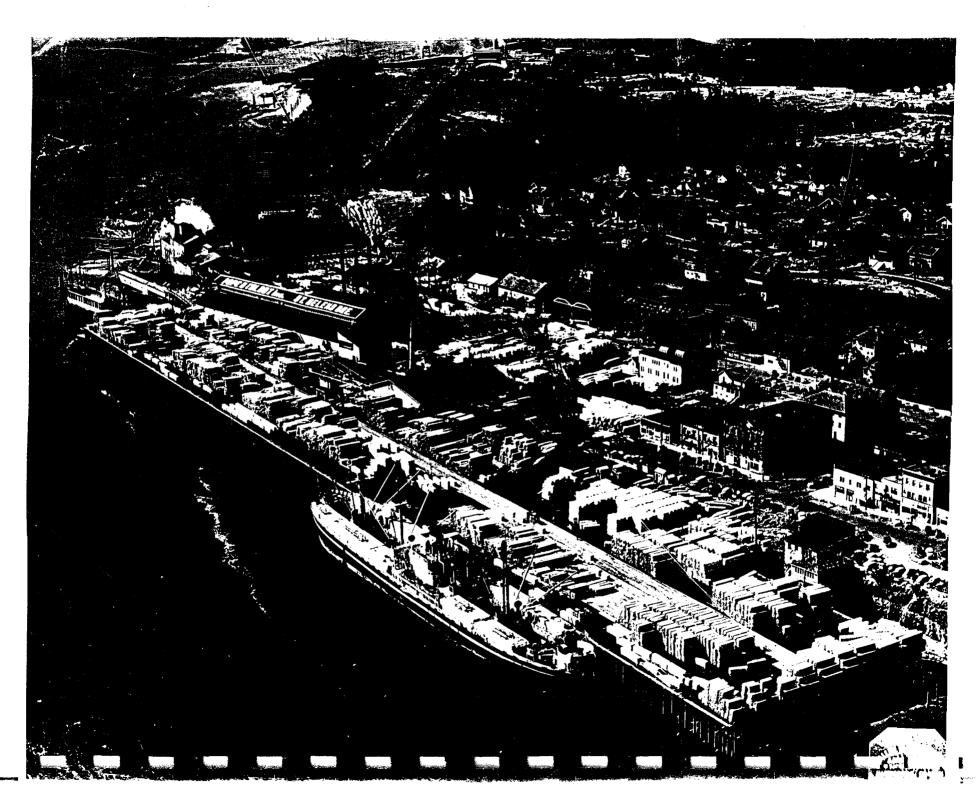
GRIGINAL

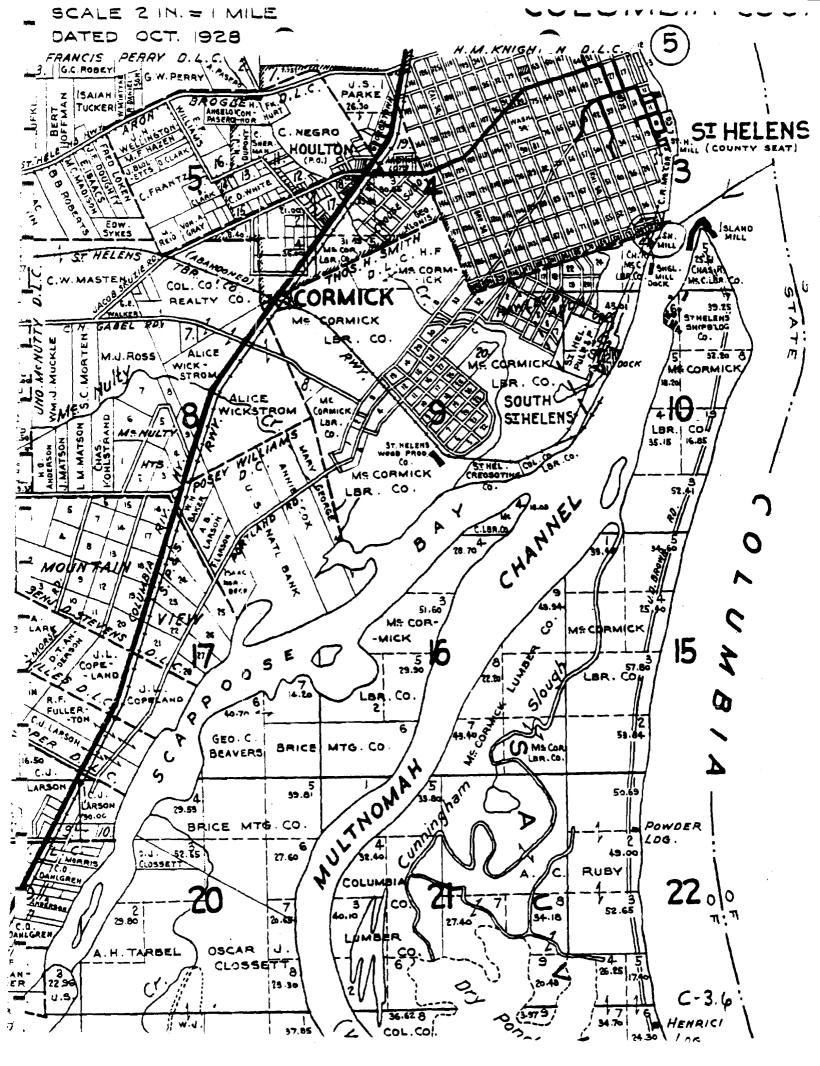
= a77-A

-0, Hi 88203

1909







# STOEL RIVES BOLEY 1

ATTORNEYS AT LAW
SUITE 2300
STANDARD INSURANCE CENTER
900 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1268

Telephone (503) 224-3380 Telecopier (503) 220-2480 Cable Lawport Telex 703455 Writer's Direct Dial Number

(503) 294-9123

December 3, 1993

Ms. Martha O. Pagel Director Oregon Water Resources Department 3850 Portland Road N.E. Salem, Oregon 97310

Re: Boise Cascade Corporation;
Petition for an Order Authorizing the Filing of
a Registration Statement for an Undetermined
Vested Right to Appropriate Surface Water

## Dear Martha:

We represent Boise Cascade Corporation ("Boise Cascade"). Boise Cascade owns and operates a pulp and paper mill and a veneer mill on an industrial site near St. Helens, Oregon. On Boise Cascade's behalf, I enclose the following documents concerning the registration of its claims to undetermined vested rights to appropriate surface water:

- 1. Petition for an Order Authorizing the Filing of a Registration Statement for an Undetermined Vested Right to Appropriate Surface Water [pursuant to ORS 539.240(4)]
- 2. Affidavit of David G. Gadda [in support of the petition]
- 3. Order [authorizing the filing of a registration statement]
- 4. A check for the filing fee in the amount of \$5175.

The filing fee is calculated as follows: The fee is based on the existing diversion capacity of 42 million gallons per day (64.99 cfs) at the pulp and paper mill and 23,000 gallons per day at the veneer mill (0.04 cfs), for a total of

PDX1-87348.1 15760 0161

Ms. Martha O. Pagel December 3, 1993 Page 2

65.03 cfs. In accordance with ORS 539.081, the fee includes \$200 for the first cfs and \$50 for each of the 65 additional cfs or fraction thereof. We have multiplied this amount by one-and-one-half times as required by ORS 539.240(4), for a total of \$5175. Please note that Boise Cascade specifies these water usage amounts only for purposes of calculating the statutory registration fee and does not thereby waive any riparian or other vested rights that it may have to divert surface waters.

I look forward to your early response to the petition since we would like to file the registration statement in 1993 if at all possible. If you need any additional information, or if we can assist your review in any other way, please call me at the number above or Michael Campbell of our office at 294-9676.

Very truly yours,

Gail L. Achterman

GLA:bak Enclosures

cc: Mr. David G. Gadda Mr. A. Reed Marbut

#### BEFORE THE WATER RESOURCES DEPARTMENT

#### OF THE STATE OF OREGON

In the matter of the	)	PETITION FOR AN ORDER AUTHORIZING
petition of	)	THE FILING OF A REGISTRATION
	)	STATEMENT FOR AN UNDETERMINED
	)	VESTED RIGHT TO APPROPRIATE
BOISE CASCADE CORPORATION	)	SURFACE WATER

Pursuant to ORS 539.240(4), Boise Cascade Corporation ("Boise Cascade") hereby petitions the Director of the Water Resources Department for an order authorizing Boise Cascade to file a registration statement under ORS 539.240 for an undetermined vested right to appropriate surface water. This petition is supported by the attached affidavit of Mr. David G. Gadda, Associate General Counsel of Boise Cascade.

#### I. BACKGROUND

#### A. Industrial Operations

Boise Cascade, headquartered in Boise, Idaho, is a publicly held corporation that owns and operates pulp and paper and wood products manufacturing facilities throughout the United States and Canada. Among these facilities are a pulp and paper mill and a veneer mill on a large industrial site near St. Helens, Columbia County, Oregon. The site is adjacent to Multnomah Channel, near its confluence with the Columbia River, and covers portions of Sections 3, 4, 9, and 10 of Township 4 North, Range 1 West, Willamette Meridian.

PDX1-85406.2 15760 0161

#### B. <u>Diversion and Disposal of Water</u>

Boise Cascade diverts water from Multnomah Channel for industrial uses at the site. A pumping station in Section 10 of Township 4 North, Range 1 West with a capacity of 42 million gallons per day is used to divert water for the pulp and paper mill. The average daily amount of water diverted for the mill is approximately 32 million gallons. Approximately 140,000 gallons of water per day is also obtained from the City of St. Helens for industrial and other purposes.

A pumping station in Section 3 of Township 4 North,
Range 1 West with a capacity of 23,000 gallons per day is used
to divert water for the veneer mill. The average daily amount
of water diverted for the mill is approximately 23,000 gallons.
Approximately 500 gallons of water per day is obtained for
domestic purposes from the City of St. Helens.

Wastewater from the pulp and paper mill and the veneer mill is discharged into the City of St. Helens' sewage treatment system and ultimately discharged back into Multnomah Channel in Section 3 of Township 4 North, Range 1 West.

Wastewater from the veneer mill is also periodically discharged directly into Multnomah Channel in Section 3 of Township 4

North, Range 1 West pursuant to a duly issued wastewater discharge permit. Because water diverted from the Channel by Boise Cascade is augmented with water obtained by it from the City of St. Helens, and because Boise Cascade's uses are

PDX1-85406.2 15760 0161 2

largely nonconsumptive, Boise Cascade returns slightly more water to the Channel than it diverts.

#### C. <u>History of Operations</u>

A sawmill was first constructed on what is now Boise Cascade's industrial site in 1874. The sawmill operated until it was destroyed by fire in 1904. In 1908, Hamlin F. and Charles R. McCormick purchased a portion of the site and formed the St. Helens Mill Company. In the last few months of 1908, they began constructing a new sawmill, including facilities for diverting water from Multnomah Channel to serve the mill. The mill began operating in September 1909.

Soon thereafter, the McCormicks and their associated companies constructed a number of additional industrial operations on and near Boise Cascade's present site. Many of these operations were intended to be integrated with the sawmill by making use of the sawmill's products and byproducts. The operations included a creosoting company, a shipyard, an additional sawmill, a railroad line, and, in 1926, the present pulp and paper mill, which used wood waste from the sawmill.

The sawmill constructed in 1908 continuously operated and diverted water from Multnomah Channel for industrial uses until December 1973, with the exception of six months during 1932, a week in 1964, and two months in 1970-71, when the mill was closed temporarily. The sawmill also operated briefly in 1979-80.

Boise Cascade acquired the sawmill in 1971 and built the present veneer mill adjacent to it in 1972. The veneer mill has continuously operated and diverted water from Multnomah Channel for industrial uses since that time. One of the water lines formerly used by the sawmill to divert water from Multnomah Channel is still used by the veneer mill.

The pulp and paper mill has continuously operated and diverted water from Multnomah Channel for industrial uses since it was constructed in 1926. Boise Cascade purchased the pulp and paper mill in 1964.

#### II. REASONS FOR THE PETITION

The facts set forth above show that Boise Cascade's existing diversions from Multnomah Channel are based on vested water rights obtained by its predecessors in interest before February 24, 1909. These facts also show that Boise Cascade and its predecessors in interest have continuously exercised these rights. The rights have never been abandoned, and Boise Cascade intends to continue exercising the rights in the future.

ORS 539.240(3) provides that, if a claim to an undetermined vested water right is not registered by December 31, 1992, there is a rebuttable presumption that the claim was abandoned. ORS 539.240(4), however, allows the claimant an opportunity to rebut the presumption, for good cause shown, by filing a petition with the Director. For the reasons set forth below, good cause exists for granting this petition:

PDX1-85406.2 15760 0161

- A. When Boise Cascade purchased the pulp and paper mill and the former sawmill in 1964 and 1971, respectively, these facilities had long been operating and diverting substantial amounts of water from Multnomah Channel. To Boise Cascade's knowledge, the right to divert water from Multnomah Channel for these and other industrial facilities on the site has never been questioned, either before or since Boise Cascade acquired the site. In addition, there has never been an allegation that any vested water right has been forfeited or abandoned. Consequently, Boise Cascade never had any reason to inquire into the basis for its water rights.
- B. Boise Cascade did not become aware of the requirement to register claims to undetermined vested water rights until after December 31, 1992. No officer or agent of Boise Cascade received notice, constructive or actual, that it was required to file a statement of claim to its vested water right, and no state agency or other source informed Boise Cascade of the requirement before that date. Moreover, the published notice required by ORS 539.230, if in fact such notice was published, was not reasonably sufficient to apprise Boise Cascade of the requirement.
- C. Boise Cascade learned of the registration requirement only in September 1993. At that time, Boise Cascade was engaged in negotiations with a third party concerning construction, financing, and operation of a cogeneration facility, which would require an application to the Oregon

PDX1-85406.2 15760 0161 5

Energy Facility Siting Council ("EFSC"). The EFSC application process requires applicants to identify the proposed facility's water rights. In the course of identifying its rights, Boise Cascade learned of the registration requirement.

D. Since then, Boise Cascade has worked diligently to characterize fully the basis for its St. Helens water rights and to prepare a registration statement for those rights. Upon the granting of this petition and the issuance of an order authorizing it to file a late registration statement, Boise Cascade will file the registration statement in accordance with ORS 539.240.

#### III. CONCLUSION

The foregoing demonstrates good cause for filing this petition. In addition, the history of continuous diversions from Multnomah Channel for industrial uses at Boise Cascade's site, together with Boise Cascade's present diversions and other evidence related in the attached affidavits, demonstrate that Boise Cascade's water rights have never been abandoned and that these rights will continue to be exercised in the future. Accordingly, Boise Cascade respectfully requests the Director to grant this petition and to issue an order authorizing Boise

PDX1-85406.2 15760 0161 6

Cascade to file a registration statement for its claims pursuant to ORS 539.240.

DATED: December 3, 1993.

Gail L. Achterman, OSB No. Attorney for Petitioner Boise Cascade Corporation

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

In the matter of the	)					
petition of	)	AFFIDAVIT	OF	DAVID	G.	GADDA
_	)					
BOISE CASCADE CORPORATION	)					

STATE OF IDAHO ) ) ss. County of Ada )

- I, David G. Gadda, having been duly sworn, depose and say:
- 1. I am associate general counsel of Boise Cascade
  Corporation ("Boise Cascade"). I make this affidavit in
  support of Boise Cascade's Petition for an Order Authorizing
  the Filing of a Registration Statement for an Undetermined
  Vested Right to Appropriate Surface Water. To the best of my
  knowledge, all of the matters stated herein are true and
  correct.
- 2. Boise Cascade owns an industrial site near
  St. Helens, Columbia County, Oregon. Among the industrial
  facilities presently on the site and operated by Boise Cascade
  are a pulp and paper mill and a veneer mill. I am familiar
  with this industrial site and its history through personal
  knowledge or through information that I have obtained from past
  or present employees of Boise Cascade or from persons with whom
  Boise Cascade has contracted for historical research.

Description of Boise Cascade's Industrial Site

3. Boise Cascade's St. Helens industrial site, including the pulp and paper mill and the veneer mill, is adjacent to Multnomah Channel, near its confluence with the Columbia River, and covers portions of Sections 3, 4, 9, and 10 of Township 4 North, Range 1 West, Willamette Meridian.

- 4. Boise Cascade diverts water from Multnomah Channel for industrial uses at the site. A pumping station in Section 10 of Township 4 North, Range 1 West, with a capacity of 42 million gallons per day, is used to divert water for the pulp and paper mill. The average daily amount of water diverted for the mill is approximately 32 million gallons. Approximately 0.14 million gallons of water per day for industrial and other purposes is also obtained from the City of St. Helens.
- 5. A pumping station in Section 3 of Township 4 North, Range 1 West, with a capacity of 23,000 gallons per day, is used to divert water for the veneer mill. The average daily amount of water diverted for the veneer mill is approximately 23,000 gallons. The veneer mill also obtains approximately 500 gallons of water per day for domestic purposes from the City of St. Helens.
- 6. Wastewater from the pulp and paper mill and the veneer mill is discharged into the City of St. Helens' sewage treatment system and ultimately discharged back into Multnomah Channel in Section 3 of Township 4 North, Range 1 West. The

PDX1-85542.1 15760 0161

veneer mill also periodically discharges wastewater directly into Multnomah Channel in Section 3 of Township 4 North, Range 1 West, pursuant to a duly issued wastewater discharge permit. The combined discharge of the two mills averages approximately 32.7 million gallons per day. Because water diverted from the Channel is augmented by water obtained from the City of St. Helens, and because Boise Cascade's uses at its two St. Helens manufacturing facilities are in the aggregate largely nonconsumptive, Boise Cascade returns slightly more water to the Channel than it diverts.

#### Site History

- 7. A sawmill was first constructed on what is now Boise Cascade's industrial site in 1868. The sawmill operated until it was destroyed by fire in 1904. In 1908, Hamlin F. and Charles R. McCormick purchased the site and formed the St. Helens Mill Company. In the last few months of 1908, they began constructing a new sawmill, including facilities for diverting water from Multnomah Channel to serve the mill. Construction continued until the mill began operating and diverting water from Multnomah Channel no later than September 1909.
- 8. Soon thereafter, the McCormicks and their associated companies constructed a number of additional industrial operations on and near Boise Cascade's present site. Many of these operations were intended to be integrated with the sawmill by making use of the sawmill's products and byproducts.

PDX1-85542.1 15760 0161

The operations included a creosoting company, a shipyard, an additional sawmill, a railroad line, and, in 1926, the present pulp and paper mill, which used wood waste from the sawmill.

- 9. The sawmill constructed in 1908 continuously operated and diverted water from Multnomah Channel for industrial uses until December 1973, with the exception of six months during 1932, a week in 1964, and two months in 1970-71, when the mill was closed temporarily. The sawmill also operated briefly in 1979-80.
- 10. Boise Cascade acquired the sawmill in 1971 and built the present veneer mill adjacent to it in 1972. The veneer mill has continuously operated and diverted water from Multnomah Channel for industrial uses since that time. One of the water lines formerly used by the sawmill to divert water from Multnomah Channel is still used by the veneer mill.
- 11. The pulp and paper mill has continuously operated and diverted water from Multnomah Channel for industrial uses since it was constructed in 1926. Boise Cascade purchased the pulp and paper mill in 1964.

#### Boise Cascade's Actions With Respect to Its Water Rights

12. Until September 1993, Boise Cascade personnel had no reason to inquire into the status of its water rights or to take any other action with respect to them. When Boise Cascade purchased the pulp and paper mill and the former sawmill in 1964 and 1971, respectively, these facilities had long been operating and openly diverting substantial amounts of water

from Multnomah Channel, and neither of the selling parties disclosed that the industrial site's pre-1909 water rights had not been adjudicated. To Boise Cascade's knowledge, the right to divert water from Multnomah Channel for these and other industrial facilities on the site has never been questioned by any public or private person or entity, either before or since Boise Cascade acquired the site. In addition, because the use of water by the pulp and paper mill was essentially nonconsumptive, Boise Cascade personnel erroneously believed that no right to divert water was necessary in any event.

- 13. Boise Cascade did not become aware of the requirement to register claims to undetermined vested water rights until after December 31, 1992. No state agency or other source informed Boise Cascade of the requirement before that date.

  Moreover, the published notice required by ORS 539.230, if in fact the notice was published as required, was not reasonably sufficient to apprise Boise Cascade of the requirement because Boise Cascade had no reason to review the publications regularly for notices of that sort.
- 14. Boise Cascade learned of the registration requirement only in September 1993. At that time, Boise Cascade was engaged in negotiations with a third party concerning construction, financing, and operation of a cogeneration facility at Boise Cascade's St. Helens site, which would require an application to the Oregon Energy Facility Siting Council ("EFSC"). The EFSC application process requires

PDX1-85542.1 15760 0161

applicants to identify the proposed facility's water rights.

In the course of identifying its rights, Boise Cascade learned of the registration requirement.

- 15. Since learning of the registration requirement, Boise Cascade has worked diligently to characterize fully the basis for its St. Helens water rights and to prepare a registration statement for those rights. Upon the granting of the accompanying petition and the issuance of an order authorizing the filing of a registration statement, Boise Cascade will file the registration statement in accordance with ORS 539.240.
- 16. Neither Boise Cascade nor, to Boise Cascade's knowledge, any of its predecessors in interest have abandoned the water rights for Boise Cascade's St. Helens industrial site. Furthermore, Boise Cascade has no intention of abandoning these water rights now or in the future.

David G. Gadda

SUBSCRIBED AND SWORN TO before me this 2nd day of December, 1993.

NOTAR LOS

Notary Public, State of Idaho,
Residing at: Mendian, Jofaho
My commission expires: 8/8/97

#### BEFORE THE WATER RESOURCES DEPARTMENT

#### OF THE STATE OF OREGON

In the matter of the petition of	)	ORDER
	)	
BOISE CASCADE CORPORATION	)	

Pursuant to ORS 539.240(4), and based on the evidence submitted in this matter, Boise Cascade Corporation is hereby authorized to file a registration statement under ORS 539.240 for its claim to an undetermined vested right to appropriate surface water for its industrial facilities in Columbia County, Oregon.

DATED: December ___, 1993.

Martha Pagel Director Water Resources Department

### STOEL RIVES BOLEY TONES & GREY

ATTORNEYS AT LAW
SUITE 2300
STANDARD INSURANCE CENTER
900 SW FIFTH AVENUE
PORTLAND, OREGON 97204-1268

Telephone (503) 224-3380 Telecopier (503) 220-2480 Cable Lawport Telex 703455

Writer's Direct Dial Number

(503) 294-9123

December 3, 1993

Ms. Martha O.
Director
Oregon Water F
3850 Portland
Salem, Oregon

rener mu are non contiguous properties then an additional \$15000 to regulated

Re:

ring the Filing of in Undetermined irface Water

Dear Martha:

We re ion ("Boise Cascade"). Boi pulp and paper mill and a vener mill on an industrial site near St. Helens, Oregon. On Boise Cascade's behalf, I enclose the following documents concerning the registration of its claims to undetermined vested rights to appropriate surface water:

- Petition for an Order Authorizing the Filing of a Registration Statement for an Undetermined Vested Right to Appropriate Surface Water [pursuant to ORS 539.240(4)]
- 2. Affidavit of David G. Gadda [in support of the petition]
- 3. Order [authorizing the filing of a registration statement]
- 4. A check for the filing fee in the amount of \$5175.

The filing fee is calculated as follows: The fee is based on the existing diversion capacity of 42 million gallons per day (64.99 cfs) at the pulp and paper mill and 23,000 gallons per day at the veneer mill (0.04 cfs), for a total of

PDX1-87348.1 15760 0161

Ms. Martha O. Pagel December 3, 1993 Page 2

65.03 cfs. In accordance with ORS 539.081, the fee includes \$200 for the first cfs and \$50 for each of the 65 additional cfs or fraction thereof. We have multiplied this amount by one-and-one-half times as required by ORS 539.240(4), for a total of \$5175. Please note that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration fee that Boise Cascade specifies these water usage amounts only for ourposes of calculating the statutory registration feet that Boise Cascade specifies these water usage amounts only for our our our output the statutory registration feet that Boise Cascade specifies these water usage amounts only for our output the statutory registration feet that Boise Cascade specifies these water usage amounts only for our output the statutory registration feet that Boise Cascade specifies these water usage amounts of the statutory registration feet that Boise Cascade specifies these water usage amounts of the statutory registration feet that Boise Cascade specifies the statutory registration feet that Boise Cascade specifies the statutory registration feet that Boise Cascade specifies the statutory registration feet that Boise Cas

I look forward their since we would like to they aren't clay if at all possible. If here if we can assist your at the number above or 9676.

petition in 1993 ation, or call me at 294-

nan

GLA:bak Enclosures

cc: Mr. David G. Gadda

Mr. A. Reed Marbut

#### BEFORE THE WATER RESOURCES DEPARTMENT

#### OF THE STATE OF OREGON

In the matter of the	)	PETITION FOR AN ORDER AUTHORIZING
petition of	)	THE FILING OF A REGISTRATION
_	)	STATEMENT FOR AN UNDETERMINED
	)	VESTED RIGHT TO APPROPRIATE
BOISE CASCADE CORPORATION	)	SURFACE WATER

Pursuant to ORS 539.240(4), Boise Cascade Corporation ("Boise Cascade") hereby petitions the Director of the Water Resources Department for an order authorizing Boise Cascade to file a registration statement under ORS 539.240 for an undetermined vested right to appropriate surface water. This petition is supported by the attached affidavit of Mr. David G. Gadda, Associate General Counsel of Boise Cascade.

#### I. BACKGROUND

#### A. <u>Industrial Operations</u>

Boise Cascade, headquartered in Boise, Idaho, is a publicly held corporation that owns and operates pulp and paper and wood products manufacturing facilities throughout the United States and Canada. Among these facilities are a pulp and paper mill and a veneer mill on a large industrial site near St. Helens, Columbia County, Oregon. The site is adjacent to Multnomah Channel, near its confluence with the Columbia River, and covers portions of Sections 3, 4, 9, and 10 of Township 4 North, Range 1 West, Willamette Meridian.

#### B. <u>Diversion and Disposal of Water</u>

Boise Cascade diverts water from Multnomah Channel for industrial uses at the site. A pumping station in Section 10 of Township 4 North, Range 1 West with a capacity of 42 million gallons per day is used to divert water for the pulp and paper mill. The average daily amount of water diverted for the mill is approximately 32 million gallons. Approximately 140,000 gallons of water per day is also obtained from the City of St. Helens for industrial and other purposes.

A pumping station in Section 3 of Township 4 North,
Range 1 West with a capacity of 23,000 gallons per day is used
to divert water for the veneer mill. The average daily amount
of water diverted for the mill is approximately 23,000 gallons.
Approximately 500 gallons of water per day is obtained for
domestic purposes from the City of St. Helens.

Wastewater from the pulp and paper mill and the veneer mill is discharged into the City of St. Helens' sewage treatment system and ultimately discharged back into Multnomah Channel in Section 3 of Township 4 North, Range 1 West.

Wastewater from the veneer mill is also periodically discharged directly into Multnomah Channel in Section 3 of Township 4

North, Range 1 West pursuant to a duly issued wastewater discharge permit. Because water diverted from the Channel by Boise Cascade is augmented with water obtained by it from the City of St. Helens, and because Boise Cascade's uses are

largely nonconsumptive, Boise Cascade returns slightly more water to the Channel than it diverts.

#### C. <u>History of Operations</u>

A sawmill was first constructed on what is now Boise Cascade's industrial site in 1874. The sawmill operated until it was destroyed by fire in 1904. In 1908, Hamlin F. and Charles R. McCormick purchased a portion of the site and formed the St. Helens Mill Company. In the last few months of 1908, they began constructing a new sawmill, including facilities for diverting water from Multnomah Channel to serve the mill. The mill began operating in September 1909.

Soon thereafter, the Mcc companies constructed a number of operations on and near Boise Casca these operations were intended to sawmill by making use of the sawmi The operations included a creosoti additional sawmill, a railroad lin pulp and paper mill, which used wo

what date in 1904
was the will
destroyed by fire?
Was there 5 year 6
Non are?
For 1874
1908

The sawmill constructed

and diverted water from Multnomah Channel for industrial uses until December 1973, with the exception of six months during 1932, a week in 1964, and two months in 1970-71, when the mill was closed temporarily. The sawmill also operated briefly in 1979-80.

Boise Cascade acquired the sawmill in 197
the present veneer mill adjacent to it in 1972.
mill has continuously operated and diverted r
Multnomah Channel for industrial uses sinc
the water lines formerly used by the sa
from Multnomah Channel is still use

#### II. REASONS FOR THE PETITION

The facts set forth above show that Boise Cascade's existing diversions from Multnomah Channel are based on vested water rights obtained by its predecessors in interest before February 24, 1909. These facts also show that Boise Cascade and its predecessors in interest have continuously exercised these rights. The rights have never been abandoned, and Boise Cascade intends to continue exercising the rights in the future.

ORS 539.240(3) provides that, if a claim to an undetermined vested water right is not registered by December 31, 1992, there is a rebuttable presumption that the claim was abandoned. ORS 539.240(4), however, allows the claimant an opportunity to rebut the presumption, for good cause shown, by filing a petition with the Director. For the reasons set forth below, good cause exists for granting this petition:

- A. When Boise Cascade purchased the pulp and paper mill and the former sawmill in 1964 and 1971, respectively, these facilities had long been operating and diverting substantial amounts of water from Multnomah Channel. To Boise Cascade's knowledge, the right to divert water from Multnomah Channel for these and other industrial facilities on the site has never been questioned, either before or since Boise Cascade acquired the site. In addition, there has never been an allegation that any vested water right has been forfeited or abandoned. Consequently, Boise Cascade never had any reason to inquire into the basis for its water rights.
- B. Boise Cascade did not become aware of the requirement to register claims to undetermined vested water rights until after December 31, 1992. No officer or agent of Boise Cascade received notice, constructive or actual, that it was required to file a statement of claim to its vested water right, and no state agency or other source informed Boise Cascade of the requirement before that date. Moreover, the published notice required by ORS 539.230, if in fact such notice was published, was not reasonably sufficient to apprise Boise Cascade of the requirement.
- C. Boise Cascade learned of the registration requirement only in September 1993. At that time, Boise Cascade was engaged in negotiations with a third party concerning construction, financing, and operation of a cogeneration facility, which would require an application to the Oregon

Energy Facility Siting Council ("EFSC"). The EFSC application process requires applicants to identify the proposed facility's water rights. In the course of identifying its rights, Boise Cascade learned of the registration requirement.

D. Since then, Boise Cascade has worked diligently to characterize fully the basis for its St. Helens water rights and to prepare a registration statement for those rights. Upon the granting of this petition and the issuance of an order authorizing it to file a late registration statement, Boise Cascade will file the registration statement in accordance with ORS 539.240.

#### III. CONCLUSION

The foregoing demonstrates good cause for filing this petition. In addition, the history of continuous diversions from Multnomah Channel for industrial uses at Boise Cascade's site, together with Boise Cascade's present diversions and other evidence related in the attached affidavits, demonstrate that Boise Cascade's water rights have never been abandoned and that these rights will continue to be exercised in the future. Accordingly, Boise Cascade respectfully requests the Director to grant this petition and to issue an order authorizing Boise

Cascade to file a registration statement for its claims pursuant to ORS 539.240.

DATED: December 3, 1993.

Gail L. Aciterman, OSB No. 74363

Attorney for Petitioner Boise Cascade Corporation

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

In the matter of the	)		
petition of	)	AFFIDAVIT OF DAVID G. G	ADDA
-	)		
BOISE CASCADE CORPORATION	)		

STATE OF IDAHO ) ss. County of Ada )

- I, David G. Gadda, having been duly sworn, depose and say:
- 1. I am associate general counsel of Boise Cascade
  Corporation ("Boise Cascade"). I make this affidavit in
  support of Boise Cascade's Petition for an Order Authorizing
  the Filing of a Registration Statement for an Undetermined
  Vested Right to Appropriate Surface Water. To the best of my
  knowledge, all of the matters stated herein are true and
  correct.
- 2. Boise Cascade owns an industrial site near
  St. Helens, Columbia County, Oregon. Among the industrial
  facilities presently on the site and operated by Boise Cascade
  are a pulp and paper mill and a veneer mill. I am familiar
  with this industrial site and its history through personal
  knowledge or through information that I have obtained from past
  or present employees of Boise Cascade or from persons with whom
  Boise Cascade has contracted for historical research.

#### Description of Boise Cascade's Industrial Site

- 3. Boise Cascade's St. Helens industrial site, including the pulp and paper mill and the veneer mill, is adjacent to Multnomah Channel, near its confluence with the Columbia River, and covers portions of Sections 3, 4, 9, and 10 of Township 4 North, Range 1 West, Willamette Meridian.
- Boise Cascade diverts water from Multnomah Channel for industrial uses at the site. A pumping station in Section 10 of Township 4 North, Range 1 West, with a capacity of 42 million gallons per day, is used to divert water for the pulp and paper mill. The average daily amount of water diverted for the mill is approximately 32 million gallons. Approximately 0.14 million gallons of water per day for industrial and other purposes is also obtained from the City of St. Helens.
- A pumping station in Section 3 of Township 4 North, Range 1 West, with a capacity of 23,000 gallons per day, is used to divert water for the veneer mill. The average daily amount of water diverted for the veneer mi? approximately 23,000 gallons. The veneer mill also or `ximately 500 gallons of water per day for dome required to City of St. Helens.

  6. Wastewater from the property of the discharged int ` the
- treatment system and ultim Channel in Section 3 of Town.

PDX1-85542.1 15760 0161

veneer mill also periodically discharges wastewater directly into Multnomah Channel in Section 3 of Township 4 North, Range 1 West, pursuant to a duly issued wastewater discharge permit. The combined discharge of the two mills averages approximately 32.7 million gallons per day. Because water diverted from the Channel is augmented by water obtained from the City of St. Helens, and because Boise Cascade's uses at its two St. Helens manufacturing facilities are in the aggregate largely nonconsumptive, Boise Cascade returns slightly more water to the Channel than it diverts.

#### Site History

- 7. A sawmill was first constructed on what is now Boise Cascade's industrial site in 1868. The sawmill operated until it was destroyed by fire in 1904. In 1908, Hamlin F. and Charles R. McCormick purchased the site and formed the St. Helens Mill Company. In the last few months of 1908, they began constructing a new sawmill, including facilities for diverting water from Multnomah Channel to serve the mill. Construction continued until the mill began operating and diverting water from Multnomah Channel no later than September 1909.
- 8. Soon thereafter, the McCormicks and their associated companies constructed a number of additional industrial operations on and near Boise Cascade's present site. Many of these operations were intended to be integrated with the sawmill by making use of the sawmill's products and byproducts.

The operations included a creosoting company, a shipyard, an additional sawmill, a railroad line, and, in 1926, the present pulp and paper mill, which used wood waste from the sawmill.

- 9. The sawmill constructed in 1908 continuously operated and diverted water from Multnomah Channel for industrial uses until December 1973, with the exception of six months during 1932, a week in 1964, and two months in 1970-71, when the mill was closed temporarily. The sawmill also operated briefly in 1979-80.
- 10. Boise Cascade acquired the sawmill in 1971 and built the present veneer mill adjacent to it in 1972. The veneer mill has continuously operated and diverted water from Multnomah Channel for industrial uses since that time. One of the water lines formerly used by the sawmill to divert water from Multnomah Channel is still used by the veneer mill.
- 11. The pulp and paper mill has continuously operated and diverted water from Multnomah Channel for industrial uses since it was constructed in 1926. Boise Cascade purchased the pulp and paper mill in 1964.

#### Boise Cascade's Actions With Respect to Its Water Rights

12. Until September 1993, Boise Cascade personnel had no reason to inquire into the status of its water rights or to take any other action with respect to them. When Boise Cascade purchased the pulp and paper mill and the former sawmill in 1964 and 1971, respectively, these facilities had long been operating and openly diverting substantial amounts of water

PDX1-85542.1 15760 0161

from Multnomah Channel, and neither of the selling parties disclosed that the industrial site's pre-1909 water rights had not been adjudicated. To Boise Cascade's knowledge, the right to divert water from Multnomah Channel for these and other industrial facilities on the site has never been questioned by any public or private person or entity, either before or since Boise Cascade acquired the site. In addition, because the use of water by the pulp and paper mill was essentially nonconsumptive, Boise Cascade personnel erroneously believed that no right to divert water was necessary in any event.

- 13. Boise Cascade did not become aware of the requirement to register claims to undetermined vested water rights until after December 31, 1992. No state agency or other source informed Boise Cascade of the requirement before that date.

  Moreover, the published notice required by ORS 539.230, if in fact the notice was published as required, was not reasonably sufficient to apprise Boise Cascade of the requirement because Boise Cascade had no reason to review the publications regularly for notices of that sort.
- 14. Boise Cascade learned of the registration requirement only in September 1993. At that time, Boise Cascade was engaged in negotiations with a third party concerning construction, financing, and operation of a cogeneration facility at Boise Cascade's St. Helens site, which would require an application to the Oregon Energy Facility Siting Council ("EFSC"). The EFSC application process requires

PDX1-85542.1 15760 0161

applicants to identify the proposed facility's water rights.

In the course of identifying its rights, Boise Cascade learned of the registration requirement.

- 15. Since learning of the registration requirement, Boise Cascade has worked diligently to characterize fully the basis for its St. Helens water rights and to prepare a registration statement for those rights. Upon the granting of the accompanying petition and the issuance of an order authorizing the filing of a registration statement, Boise Cascade will file the registration statement in accordance with ORS 539.240.
- 16. Neither Boise Cascade nor, to Boise Cascade's knowledge, any of its predecessors in interest have abandoned the water rights for Boise Cascade's St. Helens industrial site. Furthermore, Boise Cascade has no intention of abandoning these water rights now or in the future.

David G. Gadda

SUBSCRIBED AND SWORN TO before me this 2nd day of December, 1993.

NOTAR DE LIC

Notary Public, State of Idaho,
Residing at: Mention Soloho
My commission expires: 8/8/97

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

In the matter of the petition of	)	ORDER
_	)	
BOISE CASCADE CORPORATION	)	

Pursuant to ORS 539.240(4), and based on the evidence submitted in this matter, Boise Cascade Corporation is hereby authorized to file a registration statement under ORS 539.240 for its claim to an undetermined vested right to appropriate surface water for its industrial facilities in Columbia County, Oregon.

DATED: December ___, 1993.

Martha Pagel Director Water Resources Department Payee: Detach and Retain for your Record

12/02/93

010394 STATE OF OREGON

Accounting Dept. Use Only

12/02/93

\$5,175.00

C120168A

### RECEIVED

DEC - 6 1993

WATER RESOURCES DEPT. SALEM, OREGON

Ref.

Form 504

Description

Printed on a Product of Our White Paper Division

#### SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP EL NAME OLUBIA Rue # 25	UNADJUDICATED AREA ? YES
RECEIPT # 107783	s w r number 615
CHECK ENCLOSURES PREI	IMINARY DATA BASE ENTRY MY
ACKNOWLEDGEMENT LETTER	ENTER ON STREAM INDEX
CHECK QUADRANGLE MAP	CHECK GLO PLATS
WATERMASTER CHECKLIST PUBL	IC NOTICE PUBLICATION
blanks filled in signed date received stamped  MAP REVIEW  source and trib diversion point location conveyances (pipes, ditch, e place of use scale township, range, section north arrow CWRE stamp disclaimer date survey was performed P.O.B. of survey dimensions and capacity of d "beneficial use" type title "permanent-quality" paper 1/10th acre	
WATER RIGHT RECORD CHECK FIEL	D INSPECTION
FINAL FILE REVIEW FINAL DAT	A BASE ENTRY
ENTER ON PLAT CARDS	

M:\WP51\SWR\CHCKLIST.1

7-30-92



January 10, 1994

WATER
RESOURCES
DEPARTMENT

J W HOLLERAN, VICE PRESIDENT BOISE CASCADE CORPORATION 1300 KASTER ROAD ST HELENS OR 97051

RE: Surface Water Registration Statement

Dear Mr Holleran,

This will acknowledge that your Surface Water Registration Statement in the name of BOISE CASCADE CORPORATION has been received by our office. The fees in the amount of \$5175.00 have been received and our receipt #107783 is enclosed. Your registration statement has been numbered **SWR-615**.

Our office will review your form and map in the near future. If necessary we will schedule a meeting with you that will include a site inspection.

I am enclosing a copy of the Special Order recorded at Volume 47, Page 394 which accepted your late filing.

Please feel free to contact this office if you have any questions.

Sincerely,

Don Knauer

Adjudication Specialist

Enclosure

cc: Gail L Achterman

J:\WP51\SWR\CLAIMANT\6\SWR-0615.001



## BEFORE THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT SALEM, OREGON

IN THE MATTER OF THE SURFACE WATER REGISTRATION STATEMENT TO BE FILED IN THE NAME OF BOISE CASCADE CORPORATION ORDER ACCEPTING SURFACE WATER REGISTRATION STATEMENT (Late filing)

The above entitled matter comes before the Director for authorization to file a Surface Water Registration Statement after the filing deadline of December 31, 1992.

It appears that the claimed use of water has not been abandoned, that water has been applied to beneficial use and that the use of water by the claimant is subject to registration pursuant to ORS 539.240(4).

NOW, THEREFORE, it is hereby ORDERED that BOISE CASCADE CORPORATION is authorized to file a Surface Water Registration Statement for its claim to an undetermined vested right to apporpriate surfce water for its industrial facilities in Columbia County, Oregon.

Dated December 13 , 1993.

Martha O. Pagel, ODirector

Recorded in Special Order Volume 47, Page 394.

The state of the s

### RECEIPT # 107783

### STATE OF OREGON ONEL COTHEMETER PARTIES ON LECEINED SIECEINED ONEL STATE OF ORDER OF THE STATE OF

EU/ED COC:	•	i di	APPLICATION	T T
EIVED FROM		PERMIT		<del> </del>
		1.1. 1		<del> </del>
ou. Ol	JEON: # OTHER: //DENITIES/		TRANSFER	<u> </u>
SH: CH	ECK: # OTHER: (IDENTIFY)	<u></u>	TOTAL REC'D	\$ 5 / 7
	<u> </u>		TOTAL NEC D	
01-00-0	WRD MISC CASH ACCT			
842,010	ADJUDICATIONS			\$
831.087	PUBLICATIONS/MAPS			\$
830.650	PARKING FEES Name/month			\$
830,050				\$
T				
REDUC	TION OF EXPENSE	CASH A	CT.	
CO	ST CENTER AND OBJECT CLASS	VOUCHE	R #	\$
03-00-0	WRD OPERATING ACCT			
	MISCELLANEOUS:			
840.001	COPY FEES			\$
850.200	RESEARCH FEES			\$
880.109	MISC REVENUE: (IDENTIFY)			\$
520.000	OTHER (P-6) (IDENTIFY)			\$
	WATER BIOLITO	EXAM FEE	1	RECORD FEE
940.001	WATER RIGHTS:	\$	245,000	s
842.001 842.003	SURFACE WATER GROUND WATER	\$	842.002 842.004	\$
842.005	TRANSFER	\$	842.004	\$
042.003	WELL CONSTRUCTION	EXAM FEE	042.000	LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
V 12.022	LANDOWNER'S PERMIT		842.024	\$
	OTHER (IDENTIFY)			
06-00-0	WELL CONST START FI	EE	, ,	<u></u>
842.013	WELL CONST START FEE	\$	CARD #	<del> </del>
145 55 5	MONITORING WELLS	\$	CARD #	<u> </u>
45-00-0	LOTTERY PROCEEDS			-
864.000	LOTTERY PROCEEDS			\$
07-00-0	HYDRO ACTIVITY	LIC NUMBER	·	
				\$
842.011	POWER LICENSE FEE(FW/WRD)			s
842.115	HYDRO LICENSE FEE(FW/WRD)		ı	L <del></del>
	HVDDO APPLICATION			\$
	HYDRO APPLICATION			<u> </u>

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

			NUMBER
			Check 92-1 NO Cash
			Surface ApplicationReservoir Application
			Tround Water Application Transfer Application
(7)	1/10		ower Claim  ydroelectric Examination
		Jil Or W.	danalaskuis tisaas
	The second secon		signment tension of Time
		/ >0, longe	ler P-6
			Quadrangle Basin
			Protest
			Constructors Examination
			Reed, Kristy has the Ch in the amount of 5,175.00 pl advise her how it should be receipted. Dan relamined

NUMBER
Check 92-1 NO Cash
Surface Application
Reservoir Application
Grownd Water Application
Transfer Application
Power Claim
Copying
Assignment
Extension of Time
Other
P-6
Quadrangle
Basin
Protest
Constructors Examination
Constructors License
Adjudication 12/7/93
Read Krusty has the check in the amount of 5,175.00 Please advise her how it should be receipted for how it should be

Boise Cascade Corporation

SIGHT DRAFT NO. CA 406358

Authorized Representative

Date 12/02/

P.O. Box 50 Boise, Idaho 83728

★★★★★★★★★★★★★★★★★★★★★ 175.00*************** Dollars \$5,175.00

To the order of

STATE OF OREGON
WATER RESOURCES DEPT.
555 13TH ST. NE
SALEM OR

OR 97310

Not Negotiable after 90 days

Boise Cascade Corporation

#1652406358# #124100019# 38746 O#

# Boise Cassage Oregon

WATER
RESOURCES
DEPARTMENT

November 16, 1993

Mike Campbell Esq. Stoel, Rives, et al 900 SW 5th Ave., #2300 Portland, OR 97204

RE: Petition for Late Registration for Surface Water Registration

Dear Mr. Campbell:

Reed Marbut has asked me to drop the enclosed draft petition for late registration in the mail to you as a sample for the possibility of Boise Cascade's late surface water registration.

If you have any questions, please contact Don Knauer, Dwight French or me.

Sincerely,

Darlene Castle

Water Rights/Adjudication Assistant

Enclosure

cc: Don Knauer

Dwight French

RECEIVED

OCT 11 1993

Martha Pagel, Director Oregon Water Resources Department 3850 Portland Road, NE Salem, Oregon 97310 WATER RESOURCES DEPT. SALEM, OREGON

Dear Ms. Pagel:

I am petitioning you to accept my surface water registration statement.

I did not make the dead line because I was not fully aware of the need to register my claim prior to December 31, 1992. I visited your Watermaster's office in Coquille and obtained the necessary information for filing a claim. The sheet explaining the fees seemed to allow filing after December 31, 1992, if the applicant was willing to pay the additional filing fees.

To show the particulars of my claim, I have enclosed my Surface Water Registration Statement and appropriate fees. If you will accept my petition, I will submit the CWRE map.

I look forward to your response.

Notarized statement:

STATE OF OREGON )
) ss
County of Coos )

I, Regina Pierson, having been duly sworn, depose and say that to the best of my knowledge all of the matters stated herein are true and correct.

Signed and attested before me this 3th day of October, 1993.

COLUMN TO THE GON TO T

Notary Public for the State of Oregon

Coun D Cliu

Seal

My Commission expires: 8-12-94



