

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

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

### Organization Information

NAME WESTPORT WATER ASSOCIATION		PHONE 503-455-2578	FAX
ADDRESS 49206 HIGHWAY 30			CELL
CITY WESTPORT	STATE OR	ZIP 97016	E-MAIL DHILLA@HOTMAIL.NET COM

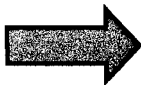
### Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME JEANNE BOATWRIGHT		PHONE 503-363-9225	FAX 503-363-1051
ADDRESS BOATWRIGHT ENGINEERING, INC 2613 12 <sup>TH</sup> STREET SE			CELL
CITY SALEM	STATE OR	ZIP 97302	E-MAIL JEANNE@BOATWRIGHTENGR.COM

Note: Attach multiple copies as needed

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

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



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

William D. Hill  
Applicant Signature

William D. Hill President  
Print Name and title if applicable

4-8-11  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name and title if applicable

\_\_\_\_\_  
Date

App. No. <u>S-87713</u>	For Department Use Permit No. _____	Date _____
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**SECTION 2: PROPERTY OWNERSHIP**

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

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

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

Wauna Water District 91685 Taylorville Road Clatskanie, OR 97016	Joan Knapp & Duane Knapp 92643 Fernhill Rd Astoria, OR 97103	Steven & Suzanne Gerttula 92658 Simonsen Rd Astoria, OR 97103
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**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: <u>Knapp Springs</u>	Tributary to: <u>McFarlane Creek</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

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

**B. Applications to Use Stored Water**

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

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

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

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

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

**SECTION 4: WATER USE**

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

SOURCE	USE	PERIOD OF USE	AMOUNT
Knapp Springs	Quasi-Municipal	Year-round	100 <input type="checkbox"/> cfs <input checked="" type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

**For irrigation use only:**  
 Please indicate the number of primary and supplemental acres to be irrigated.  
 Primary: \_\_\_\_\_ Acres      Supplemental: \_\_\_\_\_ Acres  
 List the Permit or Certificate number of the underlying primary water right(s): \_\_\_\_\_  
 \_\_\_\_\_  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: \_\_\_\_\_

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

## SECTION 5: WATER MANAGEMENT

### A. Diversion and Conveyance

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

Pump (give horsepower and type): \_\_\_\_\_

Other means (describe): \_\_\_\_\_

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

Water will be diverted by buried infiltration galleries to 2 spring boxes. 1 junction box collects from both and water flows by gravity pipeline across McFarlane Creek to a pump house. Two 1½ hp pumps boost the water uphill to a 100,000 gal reservoir. Water flows by gravity to the Wauna Water District and Westport Water Association service areas.

### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

NA

### C. Conservation

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

Water requested is based on measured capacity of this spring and use demands by the District and Association. Waste will be prevented by maintaining pipe system with minimal leakage and any raw water entering the diversion from the springs that is in excess of demand, will be immediately returned to McFarlane Creek through an overflow pipe. Water diverted will be fully metered, both at the spring box, for total diversion, and at the pump house, for total use. The amount of impact to affected surface waters has been evaluated by the Environmental Assessment, Westport Water Supply Project, FEMA-1733-DR-OR (Public Assistance) prepared by AECOM, of Seattle WA for the US Department of Homeland Security, FEMA Region X, upon which a Finding of No Significant Impact (FONSI) was issued by Mark G. Eberlein, Regional Environmental Officer, FEMA Region 10 on May 5, 2010.

## SECTION 6: RESOURCE PROTECTION

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

- Diversion will be screened to prevent uptake of fish and other aquatic life.  
Describe planned actions: NA, buried spring intake, no fish or aquatic life present
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
Describe planned actions: No clearing of banks is planned. Contractors will work be on the McFarlane Creek banks working and will have to propose, implement, and maintain a Resource Protection Plan and an Erosion Control Plan
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.  
Describe: Work that will involve crossing McFarlane Creek or identified wetlands will be limited to the preferred in-water work period of July 15-September 15, ODFW, Oregon Guidelines for Timing In-Water Work to Protect Fish and Wildlife Resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: Contractors working around McFarlane Creek and identified wetlands will be required to propose, implement, and maintain a Resource Protection Plan and an Erosion Control Plan.

## **SECTION 7: PROJECT SCHEDULE**

Date construction will begin: June 1, 2011

Date construction will be completed: November 1, 2011

Date beneficial water use will begin: November 1, 2011

## **SECTION 8: REMARKS**

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

Knapp Springs had a water right permit with a July 20, 1965 priority date that was cancelled for non-use November 16, 2009. The right, for group domestic use, had been assigned to Wauna Water District but use had lapsed for more than 5 years and it was determined that water had not been put to beneficial use under the terms of the permit. The concrete spring boxes and junction boxes were never removed.

Following the destruction of their surface reservoir and portions of their water pipeline system in the storms and floods of 2007, Westport Water Association made an emergency connection to the Wauna Water District system. FEMA funds were sought to make the connection permanent as Westport's reservoir was inaccessible. In anticipation of the construction necessary to do that, Westport applied for, and received, a Limited License (LL-1194) on April 22, 2009 for Knapp Springs. Knapp Springs would be needed to supply both systems during the reconstruction of Wauna's certificated water source, Peterson Springs, and would also be needed to provide adequate year-round supply for the newly joined system. Issues with federal bureaucracy delayed the project from 2009 to 2011. Construction is scheduled for this summer (2011).

The two systems will continue to operate jointly under their Agreement to Provide Water. Wauna will hold water rights to Peterson Springs and Westport will hold water rights to Knapp Springs, if this permit is approved.

Wauna Water District owns the land on which the Knapp Springs are located. Wauna holds easements across the Knapp and Gerttula ownerships that date to the 1970's. Wauna and Westport have a joint easement with the Oregon Department of Forestry for Peterson Springs.

The Limited License will be in affect until April 30, 2014, or until this permit is approved.

The service area will cover both Westport Water Association and Wauna Water District.

No additional pipelines will be added to the system at this time, except for the on-site line from Knapp Springs to the existing 100,000 gal Wauna Reservoir. Westport also has a 100,000 gal reservoir.

The existing piping systems are located within public roadways or easements.

# Land Use Information Form



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

Applicant(s): Westport Water Association

Mailing Address: 49206 Highway 30

City: Westport

State: Oregon Zip Code: 97016

Daytime Phone: 503-455-9231

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
8N	6W	34	NE-NE	8.6.34a 500		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Quasi-Municipal
8N	6W	34	NE-NE	8.6.34a 600		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Quasi-Municipal
Within the Boundaries of the Westport Water Association and the Wauna Water District						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-Municipal

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Clatsop County and Columbia County

## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) Knapp Springs

Estimated quantity of water needed: 100  cubic feet per second  gallons per minute  acre-feet

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

Briefly describe:

This spring is already developed. The water right was cancelled in 2009 for non-use. This application is to being filed to re-acquire a permit to use the springs. The water will supply the Westport Water Association and the Wauna Water District



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

See bottom of Page 3. →

# For Local Government Use Only

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

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

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

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Development Permit	LWDUO 3.514(25)	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" type="checkbox"/> Not Being Pursued
Geological Hazard Permit	LWDUO 4.043	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Applicant must also obtain permits to perform work in any public right-of-way from Clatsop County Public Works. 503-325-8631.

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 JENNIFER BUNCH, Planner

Signature: Jennifer Bunch Phone: 503-325-8611 Date: 4/11/11

Government Entity: Clatsop County

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

**Receipt for Request for Land Use Information**

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

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

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

# Land Use Information Form



*Columbia Co*

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

Applicant(s): Westport Water Association

Mailing Address: 49206 Highway 30

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State: Oregon Zip Code: 97016

Daytime Phone: 503-455-2578

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Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
Within the Boundaries of the Westport Water Association						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Quasi-Municipal

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

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

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) Knapp Springs

Estimated quantity of water needed: 100   
 cubic feet per second   
 gallons per minute   
 acre-feet

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

Briefly describe:

This spring is already developed. The water right was cancelled in 2009 for non-use. This application is to being filed to re-acquire a permit to use the springs. The water will supply the Westport Water Association and the Wauna Water District

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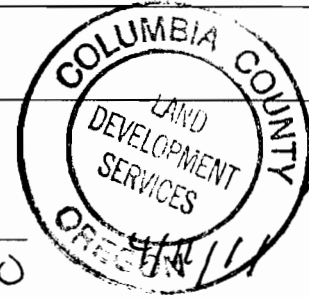
**Please check the appropriate box below and provide the requested information**

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

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

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

Water service in Sections 31+32 T8N R5W  
Sections 5+6 T7N R5W



Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: Deborah S. Jacob Phone: \_\_\_\_\_ Date: \_\_\_\_\_  
 Government Entity: Columbia County 503-397-7260

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

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

This document is being re-recorded to correct an error in the legal description



Recording Instrument #: 201102717  
Recorded By: Clatsop County Clerk  
# of Pages: 6 Fee: 67.00  
Transaction date: 4/1/2011 10:19:00  
Deputy: tromeyn



Recording Instrument #: 201101-  
Recorded By: Clatsop County Clerk  
# of Pages: 6 Fee: 67  
Transaction date: 2/10/2011 11:09:38  
Deputy: tromeyn

**WARRANTY DEED**  
(Individual or Corporate)

KNOW ALL MEN BY THESE PRESENTS, that **Joan K. Knapp and H. Duane Knapp**, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **Wauna Water District**, hereinafter called Grantee, Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clatsop County, State of Oregon, described as follows, to-wit:

See attached Exhibit A

Situs Address: Vacant Land, Taylorville, OR  
Tax ID: No. 18441 and No. 18442

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances. There are no exceptions. Grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0 Dollars. Transfer is made for purposes of lot line adjustment.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

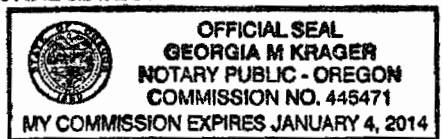
In witness whereof, the grantor has executed this instrument on Feb 4, 2011; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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

Joan K. Knapp  
JOAN K. KNAPP, GRANTOR

H. Duane Knapp  
H. DUANE KNAPP, GRANTOR

STATE OF OREGON, County of Clatsop) ss.  
This instrument was acknowledged before me on Feb 4, 2011 by JOAN K. KNAPP and H. DUANE KNAPP.



Georgia M. Krager  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 1-04-2014

Grantor's Name and Address:  
Wauna Water District  
91685 Taylorville Road  
Clatskanie, OR 97016

Grantee's Name and Address:  
Joan K. Knapp and H. Duane Knapp  
92643 Fernhill Road  
Astoria, OR 97103

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

Wauna Water District  
91685 Taylorville Road  
Clatskanie, OR 97016

After recording return to:  
~~Wauna Water District~~  
~~91685 Taylorville Road~~  
~~Clatskanie, OR 97016~~  
Westport Water Association  
49206 Hwy 30  
Westport, OR 97016

S-87713

## Exhibit A

Beginning at a point on the north-south centerline of the northeast quarter of the northeast quarter of Section 34 in Township 8 North, Range 6 West of the Willamette Meridian in Clatsop County, Oregon, said point bears North 89° 56' 20" West 631.35 feet and North 00° 49' 21" West 1,395.19 feet from the east quarter corner of said Section 34 and running thence North 89° 10' 39" West 298.71 feet to a 5/8-inch iron rod with a yellow plastic cap at the **TRUE POINT OF BEGINNING**; thence South 00° 00' 00" West 200.00 feet to a 5/8-inch iron rod with a yellow plastic cap; thence South 90° 00' 00" West 200.00 feet to a 5/8-inch iron rod with a yellow plastic cap; thence North 00° 00' 00" East 200.00 feet to a 5/8-inch iron rod with a yellow plastic cap; thence North 90° 00' 00" East 200.00 feet to the true point of beginning and containing 40,000 square feet of land, more or less, all being situated within the northeast quarter of the northeast quarter and the southeast quarter of the northeast quarter of Section 34, Township 8 North, Range 6 West of the Willamette Meridian in Clatsop County, Oregon.

### **TOGETHER WITH:**

An Access and Utility Easement more particularly described as follows, to-wit:

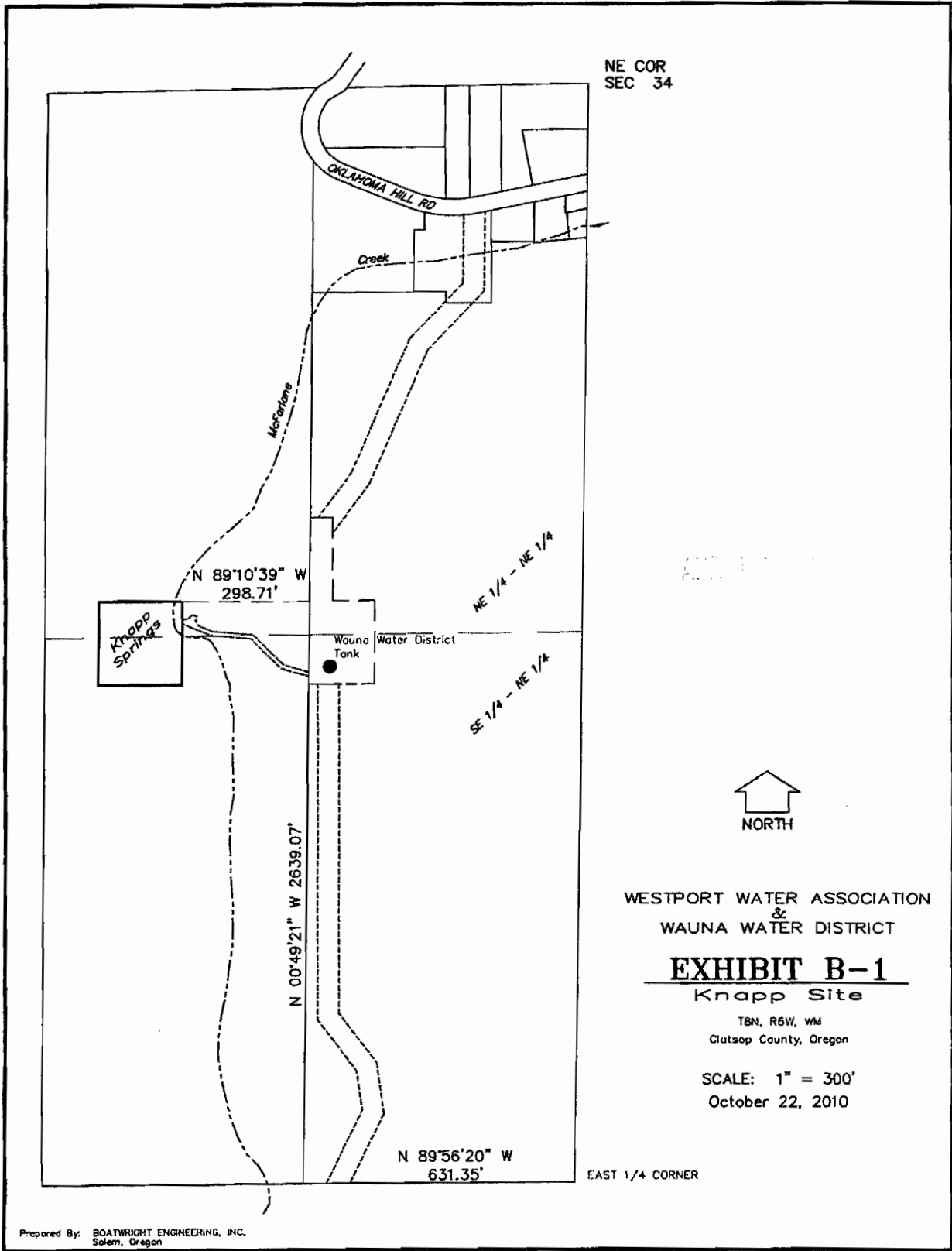
Beginning at a point on the north-south centerline of the northeast quarter of the northeast quarter of Section 34 in Township 8 North, Range 6 West of the Willamette Meridian in Clatsop County, Oregon, said point bears North 89° 56' 20" West 631.35 feet and North 00° 49' 21" West 2,639.07 feet from the east quarter corner of said Section 34 and running thence North 89° 10' 39" West 298.71 feet to a 5/8-inch iron rod with a yellow plastic cap and South 00° 00' 00" West 41.67 feet to the **TRUE POINT OF BEGINNING**, thence along the arc of an 18-foot radius curve to the left (the chord of which bears North 67° 33' 14" East 25.46 feet) a distance of 28.27 feet to a point; thence South 67° 26' 46" East 12.00 feet to a point; thence South 22° 33' 14" West 2.00 feet to a point; thence, along the arc of an 18-foot radius curve to the left (the chord of which bears South 22° 26' 46" East 25.46 feet) a distance of 28.27 feet to a point; thence South 67° 26' 46" East 26.21 feet to a point; thence along the arc of a 20-foot radius curve to the left (the chord of which bears South 75° 59' 32" East 5.94 feet) a distance of 5.97 feet to a point; thence South 84° 32' 18" East 81.42 feet to a point; thence along the arc of a 30-foot radius curve to the right (the chord of which bears South 64° 37' 51" East 20.43 feet) a distance of 20.85 feet to a point; thence South 44° 43' 24" East 85.39 feet to a point; thence along the arc of a 20-foot radius curve to the left (the chord of which bears South 59° 18' 08" East 10.07 feet) a distance of 10.18 feet to a point; thence South 73° 52' 52" East 56.71 feet to a point on the beforesaid north-south centerline of the northeast quarter of the northeast quarter of Section 34; thence South 00° 49' 21" West, along said centerline, 10.37 feet to a point which bears North 00° 49' 21" East 1217.61 feet from a brass cap at the east-east 1/64 corner of said Section 34; thence North 73° 52' 52" West 59.45 feet to a point; thence along the arc of a 30-foot radius curve to the right (the chord of which bears North 59° 18' 08" West 15.10 feet) a distance of 15.27 feet to a point; thence North 44° 43' 24" West 85.39 feet to a point; thence along the arc of a 20-foot radius curve to the left (the chord of which bears North 64° 37' 51" West 13.62 feet) a distance of 13.90 feet to a point; thence North 84° 32' 18" West 81.42 feet to a point; thence along the arc of a 30-foot radius curve to the right (the chord of which bears North 75° 59' 32"

West 8.92 feet) a distance of 8.95 feet to a point; thence North 00° 00' 00" East 12.99 feet to the true point of beginning all being situated within the northeast quarter of the northeast quarter and the southeast quarter of the northeast quarter of Section 34, Township 8 North, Range 6 West of the Willamette Meridian in Clatsop County, Oregon.

**SEE ATTACHED EXHIBITS B-1 AND B-2  
SEE ATTACHED EXHIBIT C**

**TOGETHER WITH:**

A 15-foot Temporary Construction Easement will be located adjacent to the above described Permanent Access and Utility Easement and shall be in force only during the period of initial construction. The temporary easement may be located on either side of the permanent easement, or split between both sides, if necessary, in order to avoid the removal of trees.



# EXHIBIT B-2

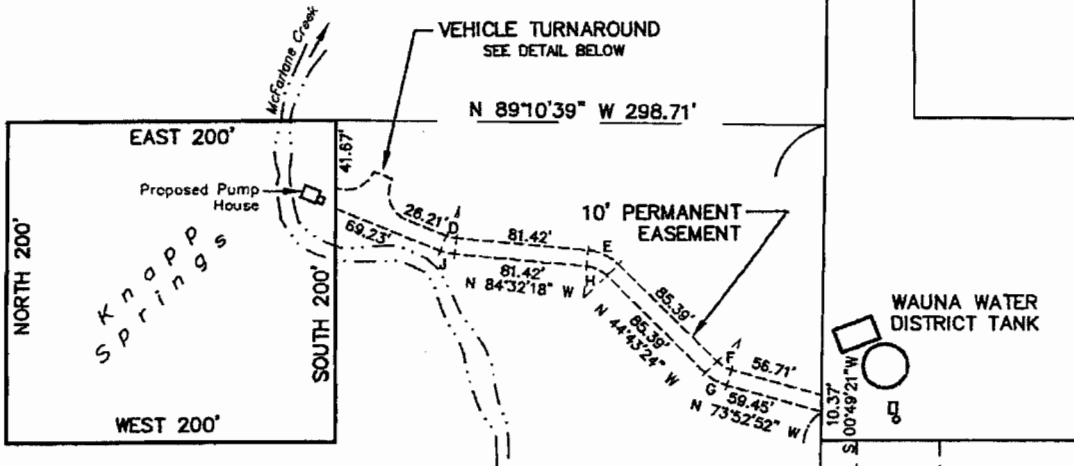
Knapp Site

WESTPORT WATER ASSOCIATION  
&  
WAUNA WATER DISTRICT

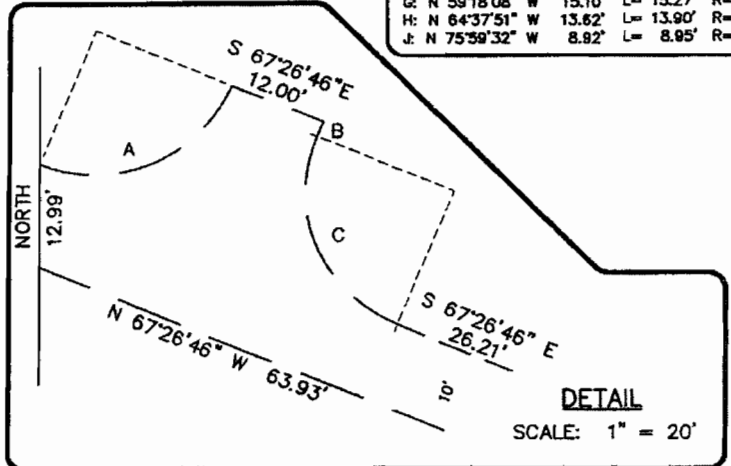
T8N, R6W, WM  
Clatsop County, Oregon



NORTH  
SCALE: 1" = 100'  
October 22, 2010



A:	N 67°33'14"	E 25.46'	L= 28.27'	R= 18'
B:	S 22°33'14"	W 2.00'		
C:	S 22°26'46"	E 25.46'	L= 28.27'	R= 18'
D:	S 75°59'32"	E 5.94'	L= 5.97'	R= 20'
E:	S 64°37'51"	E 20.43'	L= 20.85'	R= 30'
F:	S 59°18'08"	E 10.07'	L= 10.18'	R= 20'
G:	N 59°18'08"	W 15.10'	L= 15.27'	R= 30'
H:	N 64°37'51"	W 13.62'	L= 13.90'	R= 20'
I:	N 75°59'32"	W 8.92'	L= 8.95'	R= 30'



N 00°49'21" E 2639.07'

1217.61'

EXISTING 50' EASEMENT

E-E 1/64 COR  
SEC 34

Prepared By: BOATWRIGHT ENGINEERING, INC.  
Salem, Oregon

S-8773

**NARRATIVE:**

The purpose of this survey is to establish a property line adjustment per Development Permit #20060285 as approved by Clatsop County Planning and Development. The property line adjustment relocates a 200' x 200' parcel that do not accurately encompass Knapp Springs, which was the intent when the parcel was created. I ran a random traverse connecting the found corners. My measured inverse between the 3" brass cap at the NE corner of Section 34 and the 3" brass cap at the East 1/4 corner of Section 34 is 1033.52 feet. The East-East 1/4 corner of Section 34 was established on the base bearing record distance and bearing from the East 1/16 and northeast corners of Section 34. The north-south line marking the east boundary of the Knapp property was established with a line from the calculated East-East 1/4 corner to the found 3" brass cap at the Center-East 1/4 corner of Section 34 at the southeast corner of the Knapp parcel. A 1/4" iron pipe was found 1033.52 feet from the 3" brass cap at the Center-East 1/4 corner of Section 34. This pipe was 10.10 feet east of the east line of the Knapp's parcel. Evidence in old Young Water District file in my office shows that this monument was also found in January 1971 and the origin was unknown.

The original 200' x 200' parcel was never monumented. The existing location was based on the 1971 deed and monument from the 1971 deed. The monument at all four corners of the parcel location, which has moved the parcel 80 feet east. A pipeline and access easement across the Knapp parcel and between the two Young Water District parcels will be created and recorded at the time of the pipeline construction.

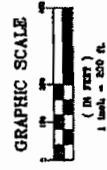
\*PROPERTY LINES ADJUSTED ARE NOT FINAL UNTIL DEEDS ARE RECORDED\*

# EXHIBIT C

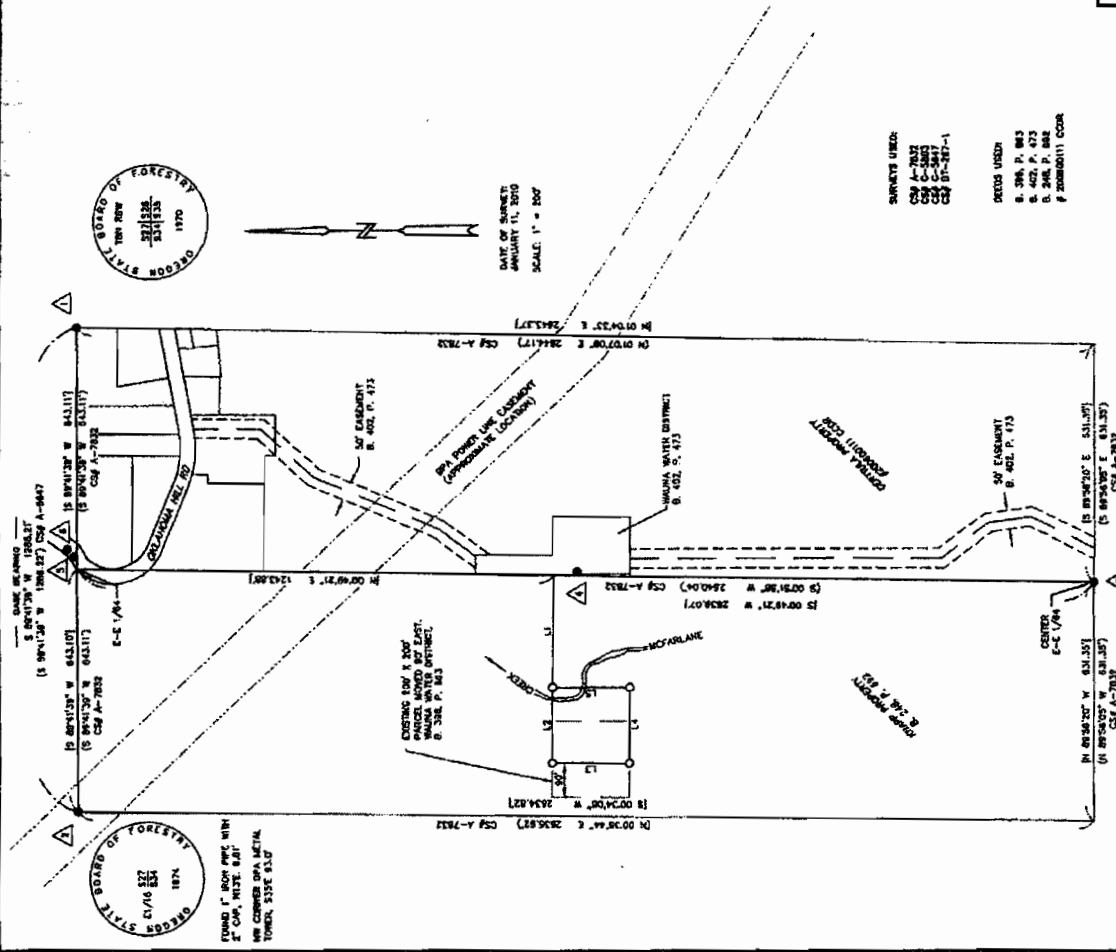
CLATSOP COUNTY  
SURVEYOR  
RECEIVED  
FEB. 22, 2010  
FILED 22-22-2010  
ASTORIA, OREGON

**LEGEND**

- SET 5/4" x 1/4" IRON ROD BY YELLOW PLASTIC CAP MARKED TALL, L.S. 1982 SET. FLUSH WITH GROUND. STUMPS 3" FORCE PISTOL PIPE BOUNDARY TO SAME LOCATION.
- MONUMENTS FOUND - ALL MONUMENTS FOUND FLUSH WITH GROUND UNLESS OTHERWISE NOTED
- △ YELLOW PLASTIC CAP
- CS# CLATSOP COUNTY SURVEY OF RECORD
- B.P. BOOK PAGE
- CS# CLATSOP COUNTY DEED RECORDS
- OC# CLATSOP COUNTY DEED RECORDS



Instrument Used: Leica TPS403, 3" total station



DATE OF SURVEY:  
JANUARY 11, 2010  
SCALE: 1" = 200'

SURVEYED UNDER:  
CS# A-7832  
CS# C-3423  
CS# C-3447  
CS# B-12583-1

DEEDS USED:  
B. 398, P. 883  
B. 402, P. 473  
B. 348, P. 842  
P. 288(11) CO#A

LINE	BEARING	DISTANCE	MARKER
L1	S 84°13'30" W	843.107	BRASS
L2	S 84°13'30" W	258.007	BRASS
L3	S 84°13'30" W	258.007	BRASS
L4	S 84°13'30" W	258.007	BRASS
L5	S 84°13'30" W	258.007	BRASS

**JOAN KNAPP & DUANE KNAPP**  
BOUNDARY LINE ADJUSTMENT  
WALUNA WATER DISTRICT  
CLATSOP COUNTY, OREGON

Scale: 1" = 200'  
Date: January 11, 2010  
Job No. 2513 12th St. SE, SALEM, OREGON 97302  
Surveyed by: [Signature]  
Drawn by: [Signature]

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
[Signature]  
OREGON  
CLATSOP COUNTY  
#513

Reviewed Date: 12/31/11  
Checked: [Signature]