

Application for a Permit to Use Ground 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 Teevin Investment Co. ; Teevin Terminal, LLC ; Teevin Terminal II, LLC		PHONE 503-556-0410	FAX
ADDRESS PO Box 247		CELL 503-741-0175	
CITY Rainier	STATE OR	ZIP 97048	E-MAIL*

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

AGENT / BUSINESS NAME Martha Pagel/Schwabe, Williamson, & Wyatt, P.C.		PHONE 503-540-4260	FAX 503-796-2900
ADDRESS 530 Center Street NE, Suite 400		CELL	
CITY Salem	STATE OR	ZIP 97301	E-MAIL*

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Note: Attach multiple copies as needed

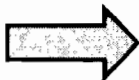
* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

SEP 26 2013

SALEM, OR

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.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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.

[Signature]
Applicant Signature

Shawn Teevin, President
Print Name and title if applicable

9/12/13
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use			
App. No. <u>G-17724</u>	Permit No. _____	Date _____	WR

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)*.

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	Columbia River	300'	~20'

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Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary)*.

The proposed well site is located in an area that was filled with dredge spoils from the Mt. St. Helens eruption. Based on wells drilled nearby, it is anticipated that the well will be approximately 120' deep and will be located in sand & gravel (See well logs COLU 51170-51172) . Pump tests performed on nearby wells also support the likelihood of achieving the maximum requested rate from the proposed well.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Sand & Gravel

Total maximum rate requested: 500 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG NO.* OR WELL LOG ID**)	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	NA	NA	NA	NA	NA	Sand & Gravel	120'	500	TBD
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate Well ID log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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Revised 2/1/2012

Ground Water/5

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Industrial	Year Round	TBD

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

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: _____

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

Pump (give horsepower and type): **Unknown, but likely an approximate 10 hp submersible.**

Other means (describe): _____

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

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Water will be pumped from the well into an elevated construction type water wagon. Trucks will be able to drive underneath the elevated water wagon to fill. From there it will be distributed where needed. Final design of the system, including pump horsepower have not yet been determined.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

The water is needed to serve a variety of industrial needs, including controlling dust, and preserving forest products. If required, the applicant intends to install a totalizing flow meter to measure the amount of water diverted. Only the amount of water that is necessary to satisfy the requested beneficial uses will be used. Reducing the amount of dust created in the log yard could prove beneficial to any nearby vegetation and/or wildlife. A rate of 500 gpm is being requested to allow timely diversion of the water when it is needed. Pumping of water won't likely

occur continually throughout the day. Water use will likely be less during the winter months, depending on the weather.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

Volume of Reservoir (acre-feet): NA Dam height (feet, if excavated, write "zero"): NA

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Upon issuance of a limited license as applied for simultaneously with this water right application

Date construction will be completed: Approx. 2 weeks from issuance of a limited licence

Date beneficial water use will begin: Approx. 2 weeks from issuance of a limited license

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SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

In addition to this Application for Permit to Use Groundwater, a simultaneous Application for Limited Water Use License is being filed. The intention of the Limited License application is to allow the applicant to construct and use a well as described in the application in the short-term while they wait for a groundwater permit to be issued.

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

NOTE TO APPLICANTS

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

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

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NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant

formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form



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

Applicant: Teevin Bros. Land & Timber Co., LLC
First Last

Mailing Address: PO Box 247

Rainier City OR 97048 State Zip Daytime Phone: 503-741-0175

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:
7W	2N	17	NE-NR, NW-NR	101 & 103	M2 Light Industrial	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Industrial
7W	2N	8	SW-SE, SE-SW	101	M2 Light Industrial	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Industrial
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Columbia County
City of Rainier

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) _____

Estimated quantity of water needed: 500 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 dust control, forest product preservation

Briefly describe:

Water will be used for industrial purposes (non-potable), dust control, and preserving wood products (timber).

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. →

G-17724

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): Article 3, Sections 3.10 & 3.11
Rainier Zoning Code
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

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

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

Name: Don Mathison Title: Rainier City Planner
 Signature: [Signature] Phone: 360-430-0799 Date: 7-31-13
 Government Entity: CITY OF RAINIER, OR 97048

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: _____

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G-7724

EXHIBIT "A"

A tract of land situate in Parcel 3, PARTITION PLAT NO. 2001-26, as recorded December 4, 2001 under Columbia County Clerk's fee number 01-013446, records of Columbia County, Oregon, tract more particularly described as follows:

BEGINNING at a point in the Northerly boundary line of the right of way of the Burlington Northern Railway Company, which said point is 3615.32 feet Easterly (measured along said Northerly boundary line of said right of way) from the point of the intersection of said Northerly boundary line of said right of way with the Westerly boundary line of the East half of the Donation Land Claim of the Widow and heirs of James Dobbins, deceased, being notification No. 7802, Claim No. 37, in Section 7, 8, 17, and 18, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; and parts of Sections 1 and 12, Township 7 North, Range 3 West, Willamette Meridian, Columbia County, Oregon;

Thence South 55° 24' 32" East, along said Northerly right of way a distance of 1271.12 feet;

Thence along a 00° 30' 04" degree curve to the left, having a delta angle of 03° 14' 44", a distance of 647.70 feet;

Thence North 02° 34' 48" East a distance of 22.82 feet;

Thence, along a 00° 30' 07" degree curve to the left, having a delta angle of 02° 01' 32", a distance of 403.53 feet;

Thence leaving said Northerly right of way, North 28° 56' 39" East a distance of 909.95 feet to the high water line of the Columbia River;

Thence along said high water line North 62° 41' 25" West a distance of 1155.51 feet;

Thence North 47° 57' 46" West a distance of 1065.12 feet;

Thence leaving said high water line, South 35° 35' 50" West a distance of 964.52 feet to the POINT OF BEGINNING.

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G-17724

COLUMBIA COUNTY, OREGON 2006-000875
DEED-D
Cnt=1 Str=8 HUSERB 01/24/2008 09:03:41 AM
\$35.00 \$11.00 \$10.00 Total:\$56.00



0003636820060008750070074

I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon
certify that the instrument identified herein was recorded in the Clerk
records.

Elizabeth E. Huser - County Clerk

RECORDED DOCUMENT

STATE OF OREGON

COUNTY OF COLUMBIA

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2).
Removal of this certificate may invalidate this certificate and affect the admissibility of the
original instrument into evidence in any legal proceeding.)

ELIZABETH E. HUSER
COLUMBIA COUNTY CLERK

RECEIVED BY OWNER

SEP 26 2008

SALLM, OR

G-17724

AFTER RECORDING RETURN TO:

UNTIL A CHANGE IS REQUESTED, ALL
TAX STATEMENTS SHALL BE SENT TO:

Roy D. Lambert, Esq.
Schwabe, Williamson & Wyatt, P.C.
1211 SW Fifth Avenue, Suite 1800
Portland, OR 97204

Teevin Terminal II, LLC
c/o Shawn Teevin
42894 Old Highway 30
Astoria, OR 97103

STATUTORY WARRANTY DEED

Teevin Terminal, LLC, an Oregon limited liability company ("Grantor"), conveys and warrants to Teevin Terminal II, LLC, an Oregon limited liability company ("Grantee"), a thirty-three percent (33 %) undivided interest in the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto which is incorporated herein by this reference.

Such real property is free from encumbrances except only those listed on Exhibit "B", which is incorporated herein by this reference.

The true consideration for this conveyance is \$659,524.00

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 3d day of November, 2005.

Teevin Terminal, LLC, an Oregon limited liability company

By: 

1 - STATUTORY WARRANTY DEED
PDX/089001/099229/RDL/1377179.1

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G-17724

Shawn Teevin, Manager

STATE OF OREGON)
) ss.
County of Columbia)

This instrument was acknowledged before me this 3d day of November, 2005, by Shawn Teevin, the Manager of Teevin Terminal, LLC, an Oregon limited liability company, on behalf of such limited liability company, as its voluntary act and deed.

Cheryl Konop
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-20-09



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SALEM OR

2 - STATUTORY WARRANTY DEED
PDX/089001/099229/RDL/1377179.1

67-17724

EXHIBIT A

PROPERTY DESCRIPTION

Legal Description:

A part of the James Dobbins Donation Land Claim #37 and the John Harris Donation Land Claim #39 in Sections 8 and 17, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, described as follows:

Beginning at a point in the Northerly boundary line of the right of way of the Burlington, Northern Railway Company, which said point is 3615.32 feet Easterly (measured along said Northerly boundary line of said right of way) from the point of the intersection of said Northerly boundary line of said right of way with the Westerly boundary line of the East half of the Donation Claim of the widow and heirs of James Dobbins, deceased, being notification No. 7802, claim No. 37, in Sections 7, 8, 17 and 18, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; and parts of Sections 1 and 12, Township 7 North, Range 3 West of the Willamette Meridian, Columbia County, Oregon; thence South 55°24'32" East along said Northerly right of way a distance of 1271.12 feet; thence along a 00°30'04" degree curve to the left, having a delta angle of 03°14'44", a distance of 647.70 feet; thence North 02°34'48" East a distance of 22.82 feet; thence along a 00°30'07" degree curve to the left, having a delta angle of 02°01'32", a distance of 403.53 feet to the true point of beginning of the parcel herein described; thence continuing along said Northerly right of way, along the arc of a 11,414.02 foot curve to the left, the long chord bears South 63°03'10" East, 966.77 feet, a distance of 967.06 feet; thence South 67°21'10" East, a distance of 38.21 feet; thence along the arc of a spiral curve to the left, the long chord bears South 65°11'56" East 148.75 feet; thence North 22°59'56" East, a distance of 10.00 feet; thence along the arc of a 2,355.15 foot radius curve to the left, the long chord bears South 71°39'15" East, 382.14 feet, a distance of 382.56 feet; thence along the arc of a spiral curve to the left, the long chord bears South 76°35'09" East, a distance of 22.88 feet; thence leaving said Northerly right of way line North 28°56'39" East, a distance of 819.17 feet to the high water line of the Columbia River; thence North 62°41'25" West along said high water line, a distance of 1,549.78 feet; thence leaving said high water line South 28°56'39" West, a distance of 909.95 feet to the true point of beginning.

EXHIBIT A – PROPERTY DESCRIPTION - STATUTORY WARRANTY DEED
PDX/089001/099229/RDL/1377179.1

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SEP 25 2013

SALE M 111

C-17724

EXHIBIT B
PERMITTED EXCEPTIONS

Subject to:

Regulations, including levies, liens, assessments, rights of way and easements of Rainier Drainage Improvement Company.

The following matters are excluded from the coverage of the policy based on the proximity of the property to Columbia River.

- a. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of Columbia River.
- b. Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of Columbia River or has been formed by accretion to such portion.

The following matters are excluded from the coverage of the policy based on the inclusion of properties constituting lands which were previously owned by the State of Oregon and within the boundaries of navigable waters.

- A. Rights and easements of the public and governmental bodies for commerce, navigation or fishing and as established pursuant to ORS 274.905 et seq to all or any portion of the herein described premises created by artificial means.
- b. Any adverse claim based upon the assertion that any portion of said land was not subject to disposition by the State of Oregon or that any portion thereof has ceased to be submerged or submersible lands by reason of erosion or by reason of having become upland by accretion.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Inland Power & Light Company

For: right of way

Dated: March 17, 1930

Recorded: November 25, 1931

Book: 53 Page: 527

In Columbia County, Oregon.

Affects: exact location not disclosed

An Easement created by instrument, including the terms and provisions thereof,

In favor of: United States of America

For: construction of certain public works on rivers and harbors for flood control and for other purposes

Dated: February 16, 1940

Recorded: February 17, 1940

Book: 65 Page: 398

EXHIBIT B – PERMITTED EXCEPTIONS - STATUTORY WARRANTY DEED

PDX\089001\099229/RDL\1377179.1

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SALEM OF

G-17724

In Columbia County, Oregon.

Affects: exact location not disclosed

Mineral Reservation, including the terms and provisions thereof,

Recorded: May 31, 1945

Book: 77 Page: 272

Records of Columbia County, Oregon.

Easement for ingress and egress above and below the surface of the land as implied by reservation of mineral rights in Deed,

From: Columbia County, Oregon

To: W.E. Proctor and Elsie M. Proctor

Dated: May 31, 1945

Recorded: May 31, 1945

Book: 77 Page: 272

In Columbia County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Pacific Power & Light Company

For: right of way

Dated: September 23, 1954

Recorded: October 29, 1954

Book: 124 Page: 90

In Columbia County, Oregon.

Affects: exact location not disclosed

An Easement created by instrument, including the terms and provisions thereof,

In favor of: City of Rainier

For: access road

Recorded: January 15, 1959

Book: 138 Page: 489 & 492

In Columbia County, Oregon.

Affects: exact location not disclosed

Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,

Recorded: July 31, 1967

Book: 165 Page: 867

In Columbia County, Oregon.

Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,

5 - STATUTORY WARRANTY DEED

PDX/089001/099229/RDL/1377179.1

RECEIVED BY OWNER

SEP 25 2013

SALLI M. COE

A-17724

Recorded: January 26, 1968
Book: 168 Page: 60
In Columbia County, Oregon.

Mineral Reservation, including the terms and provisions thereof,
Recorded: December 13, 1981
Book: 241 Page: 167 & 169
Records of Columbia County, Oregon.

Easement for ingress and egress above and below the surface of the land as implied by reservation of mineral rights in Deed,
From: State of Oregon
To: Crown Zellerbach Corporation
Recorded: December 13, 1981
Book: 241 Page: 167 & 169
In Columbia County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
In favor of: Clatskanie Peoples Utility District
For: 30 foot utility easement
Dated: July 24, 2002
Recorded: July 29, 2002
Fee No.: 02-10027
In Columbia County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
In favor of: Qwest Corporation and Sprint Communications Company, L.P.
For: Ingress and egress and appurtenances
Recorded: April 10, 2003
Fee No.: 03-05410
In Columbia County, Oregon.

Notwithstanding Paragraph 4 of the insuring clause of the policy, the policy does not insure against loss arising by reason of any lack of a right of access to and from the land.

6 - STATUTORY WARRANTY DEED
PDX/089001/099229/RDL/1377179.1

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SEP 25 2013

SALEM OF

Q-17724

COLUMBIA COUNTY, OREGON 2006-003203
 DEED-D
 Cnt=1 Stn=8 HUSERB 03/08/2006 09:36:44 AM
 \$10.00 \$11.00 \$10.00 Total:\$31.00



I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon, certify that the instrument identified herein was recorded in the Clerk's records.
 Elizabeth E. Huser - County Clerk

After recording return to: (Name, Address, Zip)
 Teevin Investment Co., Inc.
 42894 Old Highway 30
 Astoria, OR 97103

Until requested otherwise, send all tax statements to:
 (Name, Address, Zip)
 Teevin Investment Co., Inc.
 42894 Old Highway 30
 Astoria, OR 97103

SPACE ABOVE RESERVED FOR RECORDER'S USE

SPECIAL WARRANTY DEED

Steven J. Oliva and Janice D. Oliva, Grantor, conveys and specially warrants to Teevin Investment Co., Inc., an Oregon corporation, Grantee, the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein: situated in Columbia County, Oregon, to-wit:

See Legal Description attached hereto as Exhibit 'A'

Property Tax Account Number 03-91 2 7217-000-00101

This Special Warranty Deed is given in fulfillment of that Contract of Sale between Rainier Waterfront Development and Teevin Investment Co., Inc., dated March 20, 2003, recorded March 24, 2003 as instrument No. 03-04132. The warranties expressed through this deed are as of the date of the contract.

Subject to and excepting: No exceptions.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2006 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.830 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2006 (BALLOT MEASURE 37 (2004)).

The true and actual consideration for this conveyance is \$2,557,440.00. (Here, comply with the requirements of ORS 93.030.)

Dated this 27th day of February, 2006.

Steven J. Oliva
 Steven J. Oliva

Janice D. Oliva
 Janice D. Oliva

STATE OF Washington)
) ss.
 County of Clark)

This instrument was acknowledged before me on this 1st day of ^{March} February, 2006 by Steven J. Oliva and Janice D. Oliva.

**JOAN O. ROYSTON
 NOTARY PUBLIC
 STATE OF WASHINGTON
 COMMISSION EXPIRES
 SEPTEMBER 20, 2008**

Before me: *Joan O. Royston*
 Notary Public for Washington
 My commission expires: *Sept 20, 2008*

CCTESI 06/00206

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SEP 25 2008

SALEM, OR

A-17724

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)

COLUMBIA
51170

WELL ID # L35179

(START CARD) # W125717

(1) OWNER: Well Number: 3
 Name United States Gypsum Company
 Address P.O. Box 37
 City Rainier, State OR Zip 97048

(2) TYPE OF WORK:
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other Temp.

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 118.1 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount
Diameter	From	To	Material	From	To	sacks or pounds
14	0	20	Hole plug	0	20	21 Sacks
10	20	118.1				

How was seal placed: Method A B C D E
 Other Poured in
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 10	+3.3	103	.365	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 124 feet

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
100.8	102.8	0		10	Tele	<input type="checkbox"/>	<input type="checkbox"/>
102.8	118.1	100		10	Tele	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Baller Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
300+	53	80	1 hr.

Temperature of Water 58F Depth Artesian Flow found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Columbia Latitude _____ Longitude _____
 Township 7N N or S. Range 2W E or W. of WM.
 Section 7 NW 1/4 SE 1/4
 Tax lot 04000200 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 29073 Dike Road,
Rainier, Oregon 97048

(10) STATIC WATER LEVEL:
27 ft. below land surface. Date 9/23/99
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 27

From	To	Estimated Flow Rate	SWL
27	118	5000	27

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
10" figure K-Packer from 99'8" to 100'8"			
Sand fine gray	0	4	
Sand fine w/sparse gravel	4	12	
Silty sand gray-brown w/gravel	12	24	
Silty sand gray	24	55	
Gravel w/sand fine	55	87	
Gravel very coarse w/sand fine	87		
gray		103	
Gravel very coarse w/sand fine	103		
brown		124	

RECEIVED

OCT 07 1999

WATER RESOURCES DEPT.
 SALEM, OREGON

Date started 9/20/99 Completed 9/23/99

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.
 Signed Chris R. McMan WWC Number 1648
 Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 Signed J. St. McMan WWC Number 1224
 Date _____

01-7724

STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form

*COLL
51171*

WELL ID # L35178

(START CARD) # W116632

(1) OWNER: Well Number: 2

Name United States Gypsum Company
 Address P.O. Box 37
 City Rainier State OR Zip 97048

(2) TYPE OF WORK:
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other Temp.

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 122 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
14	0	19	Hole Plug	0	18	18 Sacks
10	19	122				

How was seal placed: Method A B C D E
 Other Poured in
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 10	+1.4	107	.365	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 124 feet

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type Telescope Material Stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
104.7	106.9	0		10	Tele	<input type="checkbox"/>	<input type="checkbox"/>
106.9	122	100		10	Tele	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
300+	32.6	60	1 hr.

Temperature of Water 56F Depth Artesian Flow found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Columbia Latitude _____ Longitude _____
 Township 7N N or S. Range 2W E or W. of WM.
 Section 7 NW 1/4 SE 1/4
 Tax lot 04000200 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 28073 Dike Road,
Rainier, Oregon 97048

(10) STATIC WATER LEVEL:
27.6 ft. below land surface. Date 9/17/99
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 27.6

From	To	Estimated Flow Rate	SWL
30	121	5000	27.6

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
10" K-Packer from 104'1" to 104'7"			
Sand fine gray	0	11	
Silty sand w/some wood	11	16	
Silty sand w/sparse gravel	16	22	
Silty sand fine	22	42	
Silty sand w/sparse gravel	42	51	
Silty sand w/gravel	51	60	
Sand & gravel blue	60	84	
Sand & gravel brown	84	101	
Gravel course w/sand brown fine	101	124	

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OCT 07 1999

RECEIVED BY OWARD

WATER RESOURCES DEPT
 SALEM, OREGON

SEP 25 2013

SALEM, OR

Date started 9/13/99 Completed 9/17/99

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed [Signature] WWC Number 1648
 Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1224
 Date _____

Q-17724

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)

*COLU
51172*

WELL ID # **L35177**

(START CARD) # **w125718**

Instructions for completing this report are on the last page of this form

(1) OWNER: Well Number: 1
 Name United States Gypsum Company
 Address P.O. Box 37
 City Rainier State OR Zip 97048

(2) TYPE OF WORK:
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other Temp.

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 119.5 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
14	0 20	Hole Plug	0 19	20 Sacks	
10	20 119.5				

How was seal placed: Method A B C D E
 Other Poured In
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	10	+2.3	104	.365	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 124 feet

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type Telescope Material Stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
102	104.1	0		10	Tele	<input type="checkbox"/>	<input type="checkbox"/>
104.1	119.5	100		10	Tele	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
300+	55	80	1 hr.

Temperature of Water 56F Depth Artesian Flow found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Columbia Latitude _____ Longitude _____
 Township 7N N or S. Range 2W E or W. of WM.
 Section 7 NW 1/4 SE 1/4
 Tax lot 04000200 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 29073 Dike Road,
Rainier, Oregon 97048

(10) STATIC WATER LEVEL:
25 ft. below land surface. Date 9/14/99
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 26 feet

From	To	Estimated Flow Rate	SWL
26	119	5000	25

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
10" Figure K-Packer from 101'5" to 102'			
Gravel	0	2	
Sand	2	4	
Sand-gravel	4	9	
Sand	9	15	
Silty sand w/sparse gravel	15	21	
Silty sand	21	42	
Silty sand fine	42	49	
Silty sand fine w/light gravel	49	56	
Gravel blue coarse	56	88	
Gravel coarse w/blue sand gray	88	105	
Gravel coarse w/fine sand brown	105	124	

RECEIVED RECEIVED BY SALEM
 OCT 07 1999 SEP 25 2000
 WATER RESOURCES DEPT. SALEM, OREGON
 Date started 9/8/99 Completed 9/11/99

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.
 Signed [Signature] WWC Number 1848
 Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 Signed [Signature] WWC Number 1224
 Date _____

6-17724