

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.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME KEN BERNET		PHONE (HM) 503-369-8751	
PHONE (WK)	CELL	FAX	
ADDRESS 51364 DIKE ROAD			
CITY SCAPPOOSE	STATE OR	ZIP 97056	E-MAIL *

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

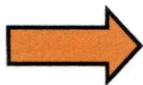
Note: Attach multiple copies as needed

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

RECEIVED
JAN 17 2019
OWRD

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 legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. 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 receive 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 receive water to which they are entitled.



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

<u><i>Ken Bernet</i></u>	<u>KEN BERNET</u>	<u>1/14/19</u>
Applicant Signature	Print Name and Title if applicable	Date
_____ Applicant Signature	_____ Print Name and Title if applicable	_____ Date

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.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: 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.

RECEIVED
JAN 17 2019
OWRD

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), and the locations of the point of diversion (POD):

Source 1: KESSI DITCH	Tributary to: SANTOSH DITCH
TRSQQ of POD:	
Source 2:	Tributary to:
TRSQQ of POD:	

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 Section 3A above?

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

If *all* sources listed in Section 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: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

RECEIVED
JAN 17 2019
OWRD

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

RECEIVED
JAN 17 2019
OWRD

SECTION 5: 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
unnamed/kessi ditch	irrigation	march-october	.86/389 <input checked="" 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

Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 328.45 Acres Supplemental: _____ Acres
 If supplemental acres are listed, provide 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 6: WATER MANAGEMENT

RECEIVED
 JAN 17 2019
 OWRD

A. Diversion and Conveyance

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

- Pump (give horsepower and type): GODWIN DIESEL 225 HP-2300GPM
- 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)
DRIP AND WHEEL LINE

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 public uses of affected surface waters. We are requesting the amount needed to meet the needs of our crops.

SECTION 7: 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 per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: USE A 3/8" SCREEN ON INTAKE

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: _____

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: _____

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: _____

List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: MARCH 2019
- b) Date construction will be completed: _____ MAY 2019
- c) Date beneficial water use will begin: _____ MARCH 2019

RECEIVED
JAN 17 2019
OWRD

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name Scappoose Drainage Improvement Company		Address 53466 E Honeyman Rd	
City Scappoose	State Oregon	Zip 97056	

SECTION 10: REMARKS

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

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- 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.
- Fees - Amount enclosed: \$ _____
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

RECEIVED
JAN 17 2019
OWRD

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

RECEIVED
JAN 17 2019
OWRD

RECEIVED
JAN 17 2019
OWRD

Land Use Information Form



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

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 groundwater 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.

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.

RECEIVED

JAN 17 2019

OWRD

Planning Re lease
192-19-000015-PING

WC 1920
3118-W-01800

Land Use Information Form



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

Applicant

NAME KEO BERNET		PHONE (HM) 503-369-8751	
PHONE (WK)	CELL	FAX	
ADDRESS 51364 DIKE ROAD			
CITY SCAPPOOSE	STATE OR	ZIP 97056	E-MAIL*

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:
3N	1W	18	0	1800	PA-80	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	NURSEY STOCK
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<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:

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 Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) **SANTOSH TRIBUTARY**

Estimated quantity of water needed: _____ 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: **FOLLOWING DIST 18 MANAGERS ADVICE.**

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.

RECEIVED
JAN 17 2019
OWRD

5-58494

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

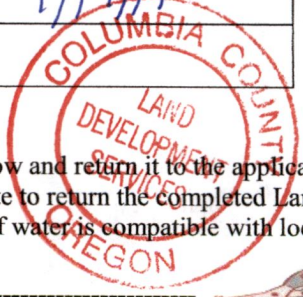
- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): DA-80 Zone - allows irrigation for use of water series
- Land uses to be served by the proposed water uses (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

RECEIVED
JAN 17 2019
OWRD

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 <u>Deborah S. Jacob</u>	TITLE: <u>Planner III</u>
SIGNATURE <u>Deborah S. Jacob</u>	PHONE: <u>503-397-7260</u>
GOVERNMENT ENTITY <u>Columbia County</u>	DATE: <u>1/14/19</u>



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: Ken Borne

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

5-88694

AND TO THE PUBLIC RECORDS

This page left intentionally blank.

RECEIVED
JAN 17 2019



RECEIVED
JAN 17 2019
OWRD

Columbia County



Oregon

www.co.columbia.or.us

Transaction Receipt

192-19-000015-PLNG

Receipt Number: 387405

Receipt Date: 1/14/19

Columbia County Planning

Office: LDS
230 Strand St
St. Helens, OR 97051
503-397-1501 x 2
Fax: 503-366-3902
planning@co.columbia.or.us

Parcel: 3118-00-01800

Payment Method:	Check number: 1234	Payer: BERNET FREDERICK R REVOCA	Payment Amount:	\$64.00	
			Amount not applied to fees:	\$64.00	
Cashier: Teresa Golson				Receipt Total:	\$64.00

RECEIVED
JAN 17 2019
OWRD

5-88694



Oregon Water Resources Department
Surface Water Application

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Thursday, January 17, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

Parcel 2
+ Sec. 19 part

BOOK 157 PAGE 356

WARRANTY DEED

J. J. COLLINS, a married man and BONNIE COLLINS, wife of J. J. COLLINS, herein referred to as grantors, hereby grants, bargains, sells and conveys unto FRED BERNET and ^{MARY} ELLEN BERNET, husband and wife, herein referred to as grantee, the following described real property, with tenements, hereditaments and appurtenances, to-wit:

Parcel 1: Beginning at the quarter section corner between Sections 18 and 19, Township 3 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon; thence South along the West line of Lot 1 of Section 19, a distance of 680 feet to the center line of the road as in existence in November 1930; thence along the center of said road North 50°01' East a distance of 124.5 feet; thence South 188.5 feet to the meander line of Multnomah Channel and the true point of beginning of the following described property: thence from this point of beginning North a distance of 188.5 feet to the center of said road; thence South 50°01' West along center of said road a distance of 124.5 feet to West line of Lot 1; thence North a distance of 680.0 feet to the said North quarter corner of said Section 19; thence North 0°05' West a distance of 1565.5 feet to the Southwest corner of a tract of land described in deed from Clay Dooley, et ux., to Fred Havlik, et ux., recorded January 31, 1952, in Book 113, page 543, Deeds; thence along said tract of land East 1373.83 feet to the center of a drainage ditch; thence along said ditch North 38°51' East 205.05 feet; thence North 20°34' East 246.2 feet to a corner of a tract of land described in deed to Clay Dooley, et ux., recorded January 25, 1952, in Book 113, page 520, Deeds; thence along said Dooley tract South 53°06' East a distance of 80.03 feet; thence South 22°09' West a distance of 220.8 feet; thence South 31°03' West a distance of 111.9 feet; thence South 20°38' West a distance of 132.9 feet; thence South 1°18' West a distance of 71.1 feet; thence South 32°57' East a distance of 101.0 feet; thence North 89°57½' East a distance of 73.0 feet to a point 16 chains West of the East line of Section 18; thence South 0°05' East and 16 chains West of said Section line, a distance of 1145.0 feet to an iron pipe; thence South 0°05' East a distance of 188.0 feet, more or less to the meander line of Multnomah Channel; thence along the said meander line of said Multnomah Channel to the point of beginning.

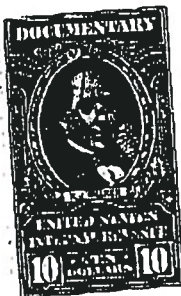
Parcel 2: Beginning at an iron pipe marking the quarter corner common to Sections 18 and 19, Township 3 North Range 1 West of the Willamette Meridian, Columbia County, Oregon; said point also being the Southeast corner of the Jesse Miles Donation Land Claim; thence North 0°05' West along the East line of the premises conveyed by Gaylord Shively, et al., to John Havlik, Jr., et ux., by deed recorded June 12, 1945, in Book 77, page 355, Deed Records, a distance of 1716.1 feet; thence North 45°31½' West a distance of 83.3 feet to an iron rod; thence North 86°18½' West a distance of 1030.2 feet along the North line of the property conveyed to said Havliks by said deed to the Northeast corner of the premises conveyed to Barbara Steinfeld by deed recorded July 31, 1946, in Book 87, page 471, Deed Records; thence South 14°25½' West a distance of 1368 feet along the East line of the property conveyed to Barbara Steinfeld by said deed; thence South 70°02½' East a distance of 1521 feet to the point of beginning.

South West
of
ROUND
RAIL
ROAD

RECEIVED
JAN 17 2019
OWRD

Application No. 84987
Permit No.

5-88C94



BOOK 157 PAGE 357

Subject to the following

1. Rights of the public in roads and highways.
2. The premises herein described are within and subject to the statutory powers of Scappoose Drainage District.
3. Easement for power lines, including the terms and provisions thereof, from Linnton Securities Company to Portland Electric Power Company, recorded February 25, 1930, in Book 50, page 192, Deed Records.
4. Right of way and easement agreement, including the terms and conditions thereof, from Linnton Securities Company, to Scappoose Drainage District, recorded March 22, 1937, in Book 60, page 218, Deed Records.
5. Right of Way and Easement, including the terms and provisions thereof of to build ditches, drains, embankments, power lines, etc., together with right of ingress and egress as granted by Wm. A. Reddaway and Ethel M. Reddaway to Scappoose Drainage District, by Instrument recorded June 4, 1938, in Book 62, page 513, Deed Records.
6. Right of Way and Easement, including the terms and provisions thereof to build and construct levees, canals, etc., from Linnton Securities Company to Scappoose Drainage District, recorded June 6, 1939, in Book 64, page 280, Deed Records.
7. Right of Way for County Road, 10 to 20 feet in width, from Linnton Securities Company to Scappoose Drainage District, recorded June 6, 1939, in Book 64, page 281, Deed Records.
8. Easement, including the terms and provisions thereof, for roadway 20 feet wide along Easterly side of Parcel 2 as reserved in deed from John Havlik, Jr., et ux., to H. G. Palmberg, et ux., recorded September 19, 1946, in Book 88, page 542, Deed Records of Columbia County, Oregon.
9. A right of way for travel 20 feet in width along the West line of Parcel 1 as conveyed in deed from Clay Dudley, et ux., to Fred Havlik, et ux., recorded January 31, 1952, in Book 113, page 548, Deeds.
10. Easement and Right of Way for electric transmission line, including the terms and provisions thereof given by J. J. Collins to Portland General Electric by instrument recorded November 1, 1963, in Book 153, page 504, Deed Records, Columbia County, Oregon.

TO HAVE AND TO HOLD the said premises unto said Grantee, his heirs and assigns forever. And the said Grantor hereby covenants that he is lawfully seized in fee simple of said premises; that they are free from all incumbrances, except

1. Right of the public in roads and highways.
2. The premises herein described are within and subject to the statutory powers of Scappoose Drainage District.
3. Easement for power lines, including the terms and provisions thereof, from Linnton Securities Company to Portland Electric Power Company recorded February 25, 1930, in Book 50, page 192, Deed Records.
4. Right of Way and easement agreement, including the terms and conditions thereof. from Linnton Securities Company, to Scappoose Drainage

RECEIVED
 JAN 17 2019
 OWRD

1-88694

right of ingress and egress as granted by Wm. A. Reddaway and Ethel M. Reddaway to Scappoose Drainage District, by instrument recorded June 4, 1938, in Book 62, page 513, Deed Records.

6. Right of Way and Easement, including the terms and provisions thereof to build and construct levees, canals etc., from Linnton Securities Company to Scappoose Drainage District, recorded June 6, 1939, in Book 64, page 280, Deed Records.

7. Right of Way for County Road, 10 to 20 feet in width, from Linnton Securities Company to Scappoose Drainage District, recorded June 6, 1939 in Book 64, page 281, Deed Records.

8. Easement, including the terms and provisions thereof, for roadway 20 feet wide along Easterly side of Parcel 2 as reserved in deed from John Havlik, Jr., et ux., to H. G. Palmberg, et ux., recorded September 19, 1946, in Book 88, page 542, Deed Records of Columbia County, Oregon.

9. A right of way for travel 20 feet in width along the West line of Parcel 1 as conveyed in deed from Clay Dooley, et ux., to Fred Havlik, et ux., recorded January 31, 1952, in Book 113, page 548, Deeds.

10. Easement and Right of way for electric transmission line, including the terms and provisions thereof given by J. J. Collins to Portland General Electric by instrument recorded November 1, 1963, in Book 153, page 504, Deed Records, Columbia County, Oregon.

and that they will warrant and defend the above granted premises against all lawful claims whatsoever, except as above stated.

Dated this 20th day of January, 1965.

J.J. Collins
Bonnie Collins

STATE OF OREGON)
County of Multnomah) ss.
1-20, 1965.

RECEIVED
JAN 17 2019
OWRD

Personally appeared the above named J.J. COLLINS and BONNIE COLLINS, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

520

Colleen M. Thomas
Notary Public for Oregon
My Commission Expires _____

My Commission Expires May 8, 1965

STATE OF OREGON
COLUMBIA COUNTY
RECORDED OR FILED
FEB 1 4 27 PM '65
BOOK 157 PAGE 356
ROY A. NELSON CO CLK
BY J. L. Rhine DEP.

Application No. 84987
Permit No.

5-88694

following the meanders thereof to its intersection with the East line of said Section 29; thence South along the East line of said Section 29 1390 feet to the place of beginning.....

257.02 \$ 1,208.56 \$ 639.46

+ FRED

3 BERNET, RUDOLPH AND SUSANNA, his wife, owners of tracts of land located in Section 18 and 17, T 3 N, R 1 W, W.M., in Columbia County, Oregon and described as follows:

Beginning at the meander post of the left or North Bank of Willamette Slough between Section 17 and 18, T 3 N, R 1 W, W.M., and running thence North 18.64 chains to the Northeast corner of Lot 6 of said Section 18; thence West 16 chains; thence South 20.20 chains to the Willamette Slough; thence Easterly along the bank of said Willamette Slough, to the point of beginning.

Also, all of Government Lot 6 in Section 18, T 3 N, R 1 W, W.M., and all of Government Lot 5 in said Section 18, excepting therefrom that tract of land conveyed to Samuel T. Goss by John W. Watts and Martha Watts, his wife, by deed recorded July 21, 1862 in Book "B" page 44, Deed Records of Columbia County, Oregon.

Also, all that part of Government Lot 7 of said Section 18 lying South of the following described line, to-wit: Beginning at a point in the center of a ravine which is South 748.7 feet from the Northwest corner of Section 17, T 3 N, R 1 W, W.M.; thence running down the center of said ravine South 76 degrees 58' West (Variation 22 degrees 30' East) 229.9 feet; thence South 23 degrees 1' West 400.8 feet; thence South 72 degrees 58' West 230.6 feet; thence North 57 degrees 0' West 922.4 feet more or less to the United States Meander line of the so-called Boot Lake;

Except that portion of the lands above described heretofore granted to Scappoose Drainage District for dike right of way purposes.

Also, commencing at the Southwest corner of said Section 17; thence running North with the section line between Sections 17 and 18 to John Watt's line; thence Easterly and Southerly with said

Exemption of same place included area in parcel 1 - Grand Tc meander

RECEIVED
JAN 17 2019
OWRD

-88694

line to the river bank; thence up the river to the place of beginning.

That tract of land lying between the County Road, the Portland and Southwestern Railroad Company's right of way, and the Prakes Estate Land, being a portion of the Northwest quarter of the Northwest quarter of Section 17 and a portion of Lot 5 of Section 8, all in T 3 N, R 1 W, W.M., particularly described as follows:

Beginning at a point on the Section line between Sections 17 and 18, T 3 N, R 1 W, W.M., 81.5 feet south of the northwest corner of the above described Section 17; thence (Variation 22 degrees 30' east) running along the southerly line of the County Road north 85 degrees 41' east 501.5 feet; thence north 39 degrees 45' east 120.8 feet to the right of way of the Portland and Southwestern Railroad Company; thence along the right of way line of the Portland and Southwestern Railroad Company south 50 degrees 16' east 178.5 feet to the center line of a dry ravine; thence running down the center of said ravine north 89 degrees 14' west 153.4 feet; thence south 66 degrees 15' west 265.4 feet; thence north 87 degrees 47' west 125.0 feet; thence north 78 degrees 10' west 196.1 feet to the section line between the above described Section 17 and 18; thence due north 43.1 feet to the point of beginning.....

269.13 \$ 1,304.97 \$ 690.47
670.47
1,995.44

4 GOULTER, KENNETH L., owner of a tract of land lying in Sections 5 & 6, T 3 N, and in Section 32, T 4 N, all in R 1 W, W.M., in Columbia County, Oregon, and described as follows:

Beginning at a point which is South 20 degrees 36 1/2' West a distance of 607.20 feet from the northeasterly corner of the John McPherson donation land claim in Section 32, T 4 N, R 1 W, W.M.; thence North 69 degrees 26' West a distance of 783.90 feet; thence South 20 degrees 36 1/2' West a distance of 2700 feet; thence South 69 degrees 26' East a distance of 783.90 feet to the easterly line of the said donation land claim; thence North 20 degrees 36 1/2' East a distance of 2700 feet to the place of beginning.

RECEIVED
JAN 17 2019
OWRD

5-88694