

E-2 App☐ Yes☒ No**Standard Application Completeness Checklist****Groundwater and Surface Water Applications Only**

Minimum Application Requirements (OAR 690-310-0040 & 0050)

For use by WRD staff only

Application #:	S-89203	Receipt #:	137194 & 137195
Applicant Name:	Richard Gibson Cannon View Park	Amount Requested:	0.1 CFS
Priority Date:	12/30/2021	Proposed Use:	Quasi-Municipal
County:	Clatsop	POD's TRS & TL:	3 springs/ 4N/10W/18&19/
WM #:	01- Nikki Hendricks	Caseworker:	☐ KF ☒ LG
Reviewed by:	Judy	Reviewed Date:	01/10/2021

☒ Applicant/Organization Name and Mailing Address☒ Signature of **all** applicants (include title or authority of representative if applicant is an organization or corporation). Note: Applicant's agent may NOT sign the application on behalf of the applicant.☒ Property Ownership: Does the applicant own all the land for the proposed project? ☒ Yes ☐ No

If No:

☐ The affected landowner's name(s) and mailing address(s) must be listed.☐ A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.☒ **For a SW Application:** Source of water must be indicated.☒ If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)☐ If for stored water, is the source authorized under a permit, certificate, or decree?Permit or Certificate issued: ☐ Y ☐ N

Permit or Certificate #: [REDACTED]

NOTE: An expedited secondary (E2) application and a reservoir application cannot be filed at the same time. The reservoir must be legally authorized first, under an existing water right, in order to accept and process an E2 application.☐ **For a GW Application:** Well development table completed and a well log report included (if existing)☒ Division 33 (Sensitive, Threatened, Endangered, Fish Species)☒ Proposed Water Use:☒ Amount of water from *each* source in GPM, CFS, or AF☒ Period of use indicated☐ If for supplemental irrigation, primary acreage or underlying permit or certificate number listed.

(Note: Primary and Supplemental Irrigation counts as 2 uses)

☒ Water Management Section☒ Resource Protection Section

- ☒ Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- ☒ Supplemental data sheets enclosed (if needed)
- ☒ Form M (Municipal or Quasi-Municipal)
- ☒ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- ☒ A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- ☒ The proposed source ☐ IS ☒ IS NOT restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- ☒ The **map** must meet all the minimum requirements of OAR 690-310-0050.
- ☒ Township, Range, Section
 - ☐ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - ☒ Place of use, ¼-¼'s and tax lot clearly identified
 - ☒ Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - ☒ Location of each diversion point or well by reference to a recognized public land survey corner.
 - ☒ Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - ☒ Reference corner on map
 - ☒ North directional symbol
 - ☐ Number of acres per ¼ ¼ if for irrigation, nursery, or agriculture
- ☒ **Fees:** Amount of Water Requested: 0.1 CFS Name on Check: Cannon View Park LLC

Exam Fee Due:	\$2,320.00
Exam Fee Submitted:	\$3,410.00
Difference:	\$1,090.00
Recording Fee Paid?	☒ Yes ☐ No \$ 610.00
Total:	\$3,410.00 (480.00 refund)

Oregon Water Resources Department Surface Water Application

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Today's Date: Friday, January 14, 2022

Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	0.1	\$410.00
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. **	3	\$820.00
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
	Subtotal:	\$2,320.00
Permit Recording Fee. ***		\$610.00
* 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		\$2,930.00

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
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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME RICHARD GIBSON		PHONE (HM) 503 313 7837	
PHONE (WK) 503 313 7837	CELL 503 313 7837	FAX	
ADDRESS 80478 CARNAHAN RD			
CITY ARCH CAPE	STATE OR	ZIP 97102	E-MAIL * RICHARD.GIBSON@COMCAST.NET

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Organization

NAME CANNON VIEW PARK, INC.		PHONE 503 313 7837		FAX	
ADDRESS 80478 CARNAHAN RD				CELL 503 313 7837	
CITY ARCH CAPE	STATE OR	ZIP 97102	E-MAIL * RICHARD.GIBSON@COMCAST.NET		

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.)

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**

/s/ Richard Gibson
Applicant Signature

Richard Gibson
Applicant Signature

Richard Gibson, President
Print Name and Title if applicable

Print Name and Title if applicable

17 Sep 2021
Date

Date

For Department Use: App. Number: _____

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.

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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).*

No affected landowners. Cannon View Park, Inc. owns the land with the springs, collection system, and distribution system.

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.

1. 4N10W19NENW Tax Lot 200
2. does not apply
3. 50 homes on Carnahan Road in Arch Cape -- multiple tax lots in 4N10W19NENW and 4N10W19SENW

RECEIVED**DEC 30 2021****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: unnamed Spring 1	Tributary to: Pacific Ocean
TRSQQ of POD: 4N10W19NENW Tax Lot 200 45.825400, -123.958183	
Source 2: unnamed Spring 2	Tributary to: Pacific Ocean
TRSQQ of POD: 4N10W19NENW Tax Lot 200 45.824917, -123.958017	
Source 3: unnamed Spring 3	Tributary to: Pacific Ocean
TRSQQ of POD: 4N10W19NENW Tax Lot 200 45.824133, -123.958517	

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).

n/a

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B. Applications to Use Stored Water

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

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- ☒ 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_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

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.

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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.

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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 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.

SECTION 5: WATER USE

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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
Spring 1	Quasi-municipal	Year-round	☐ cfs ☐ gpm ☐ af
Spring 2	Quasi-municipal	Year-round	☐ cfs ☐ gpm ☐ af
Spring 3	Quasi-municipal	Year-round	☐ cfs ☐ gpm ☐ af
Total			0.1 ☒ cfs ☐ gpm ☐ af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: n/a Acres

Supplemental: _____ Acres

Nursery Use: _____ 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

A. Diversion and Conveyance

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

- ☐ Pump (give horsepower and type):
- ☒ Other means (describe): **gravity only**

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

Water will be collected by a gravity-fed system of three galleries, three springboxes, and pipes, which will join the three new springboxes to the existing pipe from the existing springbox to the reservoirs.

B. Application Method

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

Not applicable – no irrigation is involved.

C. Conservation

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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.

Based on years of observation, the three springs considered in this application together have a flow rate similar and perhaps slightly larger than the existing spring collection on our property. With increasing drought conditions, we feel it is prudent to collect the water from these three additional springs to ensure a consistent, reliable, long-term water supply to the fifty homes that comprise our quasi-municipal use. The diverted water will be metered at each springbox. Overflow water not collected will continue to runoff into the existing small creek created by these three springs, which drains to the Pacific Ocean. Cannon View Park, Inc., carefully monitors all water use and we contact homeowners immediately if their water meter readings appear to be greater than usual so that their properties may be inspected for leaks. The three springs are on our property and after excavation for the collection equipment has been completed, we will do as much as possible to restore the flora and forest floor to their natural state.

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:

- ☒ 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: **The three springs are all relatively close together on the same side of a ridge. The excavator is a local community member and will take care to create as small a footprint with his equipment as possible. We will place an erosion fence to protect the small creek created currently by the outflow of these three springs.**

- ☐ 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: **Summer 2023**
- b) Date construction will be completed: **Summer 2023**
- c) Date beneficial water use will begin: **Fall 2023**

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 n/a	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*).

Please see attached map.

The three points of diversion are close to each other, and the total flow is estimated not to exceed 0.1 cfs.

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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
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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 503-986-0900.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
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Applicant

NAME CANNON VIEW PARK, INC. ATTN: RICHARD GIBSON			PHONE (HM) 503 313 7837		
PHONE (WK) 503 313 7837		CELL 503 313 7837		FAX	
ADDRESS 80478 CARNAHAN RD					
CITY ARCH CAPE		STATE OR	ZIP 97102	E-MAIL* RICHARD.GIBSON@COMCAST.NET	

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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.

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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:
4N	10W	19	NENW	100	Forest land	☒ Diverted	☐ Conveyed	☐ Used	
4N	10W	19	NENW	200	Forest land	☐ Diverted	☒ Conveyed	☐ Used	
4N	10W	19	NENW & SENW	Multiple	Rural residential	☐ Diverted	☐ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Arch Cape, Clatsop 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 Groundwater Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Groundwater ☐ Surface Water (name) unnamed

Estimated quantity of water needed: 0.1 ☒ 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:

we propose collecting water from three springs located close to each other and storing the water in existing concrete reservoirs for quasi-municipal use by 50 homes

For Department Use: App. Number: _____

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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.

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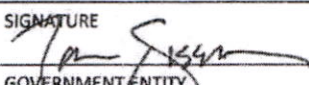
Please check the appropriate box below and provide the requested information

- ☒ 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): LAWDUC 4.0600 (Arch Cape Rural Community Residential Zone) and 4.2300 (Coastal Residential Zone)
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

The area to be served by the proposed water intake facilities is an established residential area; undeveloped lots are generally zoned for residential use. The property on which the proposed water intake facilities would be located is in the Forest-80 Zone. Pursuant to LAWDUC Section 4.3540(8), pending adoption of Ordinance 21-04, water intake facilities in the Forest-80 Zone require a Type II conditional use review procedure and permit. The applicant will be required to obtain conditional use approval prior to constructing the proposed water intake facilities.

NAME IAN SISSON		TITLE: SENIOR PLANNER
SIGNATURE 	PHONE: 503-325-8611	DATE: 9-22-2021
GOVERNMENT ENTITY CLATSOP COUNTY COMMUNITY DEVELOPMENT, LAND USE PLANNING DIVISION		

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.

Legal description of property from which the water is to be diverted:

What follows is a copy of the Statutory Warranty Deed for two parcels described in Exhibit A. The proposed water capture comes from three springs on Parcel 1. The plot description is from Clatsop County Partition Plat 2010-020, Book 7, Pages 97 and 98.

The pipe from the proposed capture of three springs will join an existing PVC pipe running along the north edge of the Hug Point Main Line, noted on the above legal description. After that junction, the existing pipe goes south under the Hug Point Main Line to the two existing concrete reservoirs. The existing pipe from the existing concrete reservoirs goes under Oregon Coast Highway US 101 to the Cannon View Park, Inc., Service Area.

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APN:

Statutory Warranty Deed
- continued

File No.: 7032-1566955 (RP)
Date: 04/26/2010



After recording return to:
Cannon View Park, Inc.
P. O. Box 870-B
Lake Oswego, OR 97034

Until a change is requested all tax statements
shall be sent to the following address:
Cannon View Park, Inc.
P. O. Box 870-B
Lake Oswego, OR 97034

File No.: 7032-1566955 (RP)
Date: April 26, 2010

THIS SPACE RESERVED FOR RECORDER'S USE



Recording Instrument #: 201010222
Recorded By: Clatsop County Clerk
of Pages: 3 Fee: 52.00
Transaction date: 11/30/2010 15:35:36
Deputy: tromeyn

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STATUTORY WARRANTY DEED

(\$204,300.00)

For valuable consideration, receipt of which is hereby acknowledged, Stimson Lumber Company, Grantor, conveys and warrants to Cannon View Park, Inc., an Oregon non-profit corporation, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Clatsop, State of Oregon, described as follows:

See Attached Exhibit "A"

Subject to and including the benefit of:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

Tax Map: 410615 1921 & 1919
Situation: V/L Hwy 101, Arch Cape OR 97102

Pacific Title Company 16509

APN:

Statutory Warranty Deed
- continuedFile No.: 7032-1568955 (RP)
Date: 04/25/2010

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2009. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 19th day of November, 2010.

Stimson Lumber Company

W. Ray Jones
By: W. Ray Jones, VP - Resources

STATE OF Oregon)
) ss.
County of Multnomah)

This instrument was acknowledged before me on this 19 day of November, 2010
by W. Ray Jones as VP - Resources of Stimson Lumber Company, on behalf of the .

Samantha E. Christensen



Notary Public for Oregon
My commission expires: 9/01/14

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Exhibit "A"

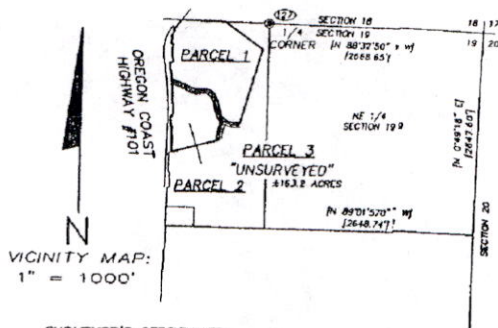
Un-surveyed Parcel 1, and Un-surveyed Parcel 2, of PARTITION PLAT
2010-020, recorded as Instrument No. 201009566, in Partition Plat
Book 7, pages 97 & 98, Clatsop County Deed Records.

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PARTITION PLAT 2010-20



SURVEYOR'S CERTIFICATE

I, JOHN P. WICKMAN, CERTIFY THAT:

I HAVE PREPARED THIS PLAT FROM INFORMATION SHOWN ON PREVIOUSLY RECORDED SURVEYS AS NOTED BY THE NARRATIVE AND DESCRIBED AS PARCEL 2 OF PARTITION PLAT 2008-012 AND THAT THE EXTERIOR BOUNDARIES OF PARCEL 1 AND PARCEL 2 ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 18;

THENCE NORTH 88°32'02" WEST 374.41 FEET ALONG THE NORTH LINE OF SAID SECTION 18 TO A 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "CASTLE ROCK SURVEYING" SAID POINT BEING THE INITIAL POINT AND TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

THENCE NORTH 88°32'02" WEST 872.31 FEET, CONTINUING ALONG SAID NORTH LINE OF SECTION 18 TO THE EASTERN RIGHT-OF-WAY LINE OF OREGON COAST HIGHWAY #101;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING COURSES:

THENCE SOUTH 38°38'59" WEST 122.48 FEET;

THENCE 46.04 FEET ALONG A 332.96 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 45°00', THE CHORD OF WHICH BEARS SOUTH 30°28'21" WEST 46.03 FEET;

THENCE SOUTH 56°20'00" EAST 20.00 FEET;

THENCE 89.53 FEET ALONG A 812.98 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 10°00'00", THE CHORD OF WHICH BEARS SOUTH 28°40'00" WEST 89.41 FEET;

THENCE SOUTH 88°20'00" EAST 20.00 FEET;

THENCE 88.04 FEET ALONG A 492.96 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 10°00'00", THE CHORD OF WHICH BEARS SOUTH 18°40'00" WEST 85.93 FEET;

THENCE SOUTH 76°20'00" EAST 40.00 FEET;

THENCE 183.81 FEET ALONG A 432.96 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 21°28'48", THE CHORD OF WHICH BEARS SOUTH 2°55'36" WEST 168.82 FEET;

THENCE SOUTH 7°49'00" EAST 85.19 FEET;

THENCE SOUTH 82°11'00" WEST 50.00 FEET;

THENCE SOUTH 7°49'00" EAST 158.70 FEET;

THENCE 65.97 FEET ALONG A 3889.72 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 0°58'18", THE CHORD OF WHICH BEARS SOUTH 7°53'33" EAST 65.97 TO THE NORTH LINE OF THE HUG POINT MAIN LINE (A 60.00 FOOT WIDE ROAD);

THENCE ALONG SAID NORTH LINE THE FOLLOWING COURSES:

THENCE 298.34 FEET ALONG A 1633.67 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 10°00'00", THE CHORD OF WHICH BEARS SOUTH 64°28'21" EAST 297.82 FEET;

THENCE 24.57 FEET ALONG A 1320.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 22°51'35", THE CHORD OF WHICH BEARS SOUTH 77°38'26" EAST 73.55 FEET;

THENCE NORTH 85°55'37" EAST 80.94 FEET;

THENCE 167.43 FEET ALONG A 180.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 58°57'12", THE CHORD OF WHICH BEARS SOUTH 64°05'47" EAST 158.89 FEET;

THENCE 134.05 FEET ALONG A 340.83 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 22°31'39", THE CHORD OF WHICH BEARS SOUTH 22°51'22" EAST 133.19 FEET;

THENCE SOUTH 11°35'32" EAST 88.34 FEET;

THENCE 208.63 FEET ALONG A 185.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 64°38'53", THE CHORD OF WHICH BEARS SOUTH 43°53'59" EAST 197.75 FEET;

THENCE 137.28 FEET ALONG A 370.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 25°22'24", THE CHORD OF WHICH BEARS SOUTH 88°53'38" EAST 136.18 FEET;

THENCE NORTH 15°31'50" EAST 105.82 FEET;

THENCE NORTH 53°36'38" WEST 812.36 FEET TO THE TRUE POINT OF BEGINNING.

ACKNOWLEDGEMENTS

STATE OF OREGON

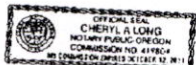
COUNTY OF CLATSOP

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON November 04, 2010,

BY FRANK TORRES

NOTARY PUBLIC

Cheryl A. Long
SIGNATURE



Cheryl A. Long
PRINT

COMMISSION NO. 419404

MY COMMISSION EXPIRES October 12, 2011

I DO HEREBY CERTIFY THAT THIS IS A FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT AS SUBMITTED ABOVE.

John P. Wickman
JOHN P. WICKMAN, PLS 73358
CLATSOP COUNTY CLERK

Cathy Barber
CATHERINE BARBER
CLATSOP COUNTY CLERK

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT STIMSON LUMBER COMPANY IS THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED BY THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE PARTITIONED AND SURVEYED INTO THREE PARCELS AS SHOWN ON THE ANNEXED MAP IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92. SAID PARCELS ARE SUBJECT TO THOSE EASEMENTS AS SHOWN OR NOTED HEREON.

Frank Torres
FRANK TORRES, REPRESENTATIVE FOR STIMSON LUMBER COMPANY

PARCEL 2:

COMMENCING AT A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF OREGON COAST HIGHWAY #101 WHERE IT IS INTERSECTED BY THE NORTH LINE OF THE HUG POINT MAIN LINE, SAID POINT BEING THE SOUTHWEST CORNER OF PARCEL ONE;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING COURSES:

THENCE 88.30 FEET ALONG A 3889.72 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 0°58'18", THE CHORD OF WHICH BEARS SOUTH 82°12'28" EAST 88.30 FEET TO A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF OREGON COAST HIGHWAY #101 WHERE IT IS INTERSECTED BY THE SOUTH LINE OF THE HUG POINT MAIN LINE, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING COURSES:

THENCE 422.00 FEET ALONG A 3889.72 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 0°52'38", THE CHORD OF WHICH BEARS SOUTH 2°45'38" EAST 421.79 FEET;

THENCE NORTH 88°30'10" WEST 30.00 FEET;

THENCE 131.46 FEET ALONG A 1950.72 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 1°57'00", THE CHORD OF WHICH BEARS SOUTH 87°42'08" EAST 120.00 FEET;

THENCE SOUTH 87°42'08" EAST 20.00 FEET;

THENCE SOUTH 87°42'08" WEST 118.90 FEET;

THENCE SOUTH 87°42'08" EAST 10.00 FEET;

THENCE SOUTH 27°00'00" WEST 200.00 FEET;

THENCE NORTH 84°11'38" EAST 860.30 FEET TO THE WEST LINE OF A 60.00 FOOT WIDE SPUR ROAD;

THENCE 151.82 FEET ALONG A 175.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 82°44'10", THE CHORD OF WHICH BEARS NORTH 12°11'48" WEST 182.19 FEET;

THENCE NORTH 14°10'10" EAST 152.85 FEET TO THE INTERSECTION POINT OF THE WEST LINE OF 60.00 FOOT WIDE SPUR ROAD WITH THE SOUTH LINE OF THE HUG POINT MAIN LINE;

THENCE ALONG THE SOUTH LINE OF THE HUG POINT MAIN LINE THE FOLLOWING COURSES:

THENCE 150.03 FEET ALONG A 245.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 35°05'08", THE CHORD OF WHICH BEARS NORTH 29°08'08" WEST 147.70 FEET;

THENCE NORTH 11°35'32" WEST 88.34 FEET;

THENCE 110.44 FEET ALONG A 200.83 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 22°31'39", THE CHORD OF WHICH BEARS NORTH 22°51'22" WEST 105.75 FEET;

THENCE 104.84 FEET ALONG A 100.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 49°57'12", THE CHORD OF WHICH BEARS NORTH 64°05'47" WEST 99.93 FEET;

THENCE SOUTH 85°55'37" WEST 80.94 FEET;

THENCE 108.99 FEET ALONG A 180.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 22°31'39", THE CHORD OF WHICH BEARS NORTH 77°38'26" WEST 107.50 FEET;

THENCE 358.84 FEET ALONG A 1573.67 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0°57'18", THE CHORD OF WHICH BEARS NORTH 65°56'08" WEST 259.39 FEET TO THE POINT OF BEGINNING.

APPROVALS

APPROVED THIS 4 DAY OF NOVEMBER, 2010.

John P. Wickman
JOHN P. WICKMAN
CLATSOP COUNTY SURVEYOR

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. §2.095 HAVE BEEN PAID.

AS OF 4th Day of November, 2010.

John P. Wickman
JOHN P. WICKMAN
CLATSOP COUNTY ASSESSOR AND TAX COLLECTOR

APPROVED THIS 4 DAY OF November, 2010.

John P. Wickman
DIRECTOR CLATSOP COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON

COUNTY OF CLATSOP

I DO HEREBY CERTIFY THAT THIS PARTITION PLAT 2010-20 WAS RECEIVED FOR RECORD ON November 5, 2010, AT 8:44 O'CLOCK P.M. AND RECORDED AS INSTRUMENT 201009566

CLATSOP COUNTY RECORDS

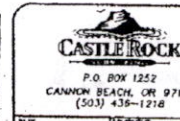
BY *Cheryl A. Long*

CLATSOP COUNTY CLERK

SHEET 2 of 2

PARTITION PLAT FOR STIMSON LUMBER COMPANY

LANDS DESCRIBED IN
DEED INSTRUMENT 200804889
CLATSOP COUNTY DEED RECORDS
N 1/2 SECTION 18, T4N, R10W, W.M.
CLATSOP COUNTY, OREGON



DATE: SEP 22, 2010 LEXIA TCR03
CHECKED: ORWARD SAC/DWG/APP/APP
DATE: SEP 22, 2010 DATE: SEP 22, 2010 DATE: SEP 22, 2010

CANNON BEACH, OREGON

INST. NO. 201009566 BOOK 7 PAGE 5

Legal description of property on which the water is to be used:

The Cannon View Park Service, Inc., Area comprises 50 homes legally described in the three Certificates of Water Rights (33136, 39030, and 86775), copies of which follow this page. The 50 homes are owned by separate private families derived from Lots 1 and 2 described below.

The description of the place of use is as follows:

NE1/4 NW1/4
Lot 1 (NW1/4 NW1/4)
Lot 2 (SW1/4 NW1/4)
SE1/4 NW1/4
Section 19
T. 4 N., R. 10 W., W. M.

A map of the Cannon View Park, Inc., Service Area is included. This was the map used to support our previous application to transfer water rights for our existing spring from three separate rights to a single quasi-municipal use right with the same Service Area as the proposed new water capture.

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STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WESTERN SHOREWAYS, INC.

of 1206 S.W. Hessler Drive, Portland, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed spring

a tributary of Unnamed Creek (Pacific Ocean)
domestic

for the purpose of

under Permit No. 17241 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 21, 1946

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.06 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, T. 4 N., R. 10 W., W. M. Diversion point located 1425 feet North and 980 feet East from SE Corner Lot 2.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to - - - - - of one cubic foot per second per acre,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 19
T. 4 N., R. 10 W., W. M.

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Being more particularly described as that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), and SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying between the Oregon Coast Highway and the Pacific Ocean.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. July 18, 1966

CHRIS L. WHEELER

State Engineer

STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

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This Is to Certify, That CANNON VIEW PARK, INC.

of P. O. Box 91, Arch Cape, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
an unnamed spring

a tributary of unnamed creek
domestic use of three families

for the purpose of

under Permit No. 28277 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from July 6, 1962

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.01 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, T. 4 N., R. 10 W., W. M.
Spring located: 1276.9 feet South and 944.1 feet East from meander corner,
Sections 18 and 19.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to ----- of one cubic foot per second
per acre,

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

A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$
Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 19
T. 4 N., R. 10 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this date. March 20, 1973

CHRIS L. WHEELER

State Engineer

STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

CANNON VIEW PARK INC.
C/O ELMER SIMPSON
PO BOX 65
ARCH CAPE OR 97102

confirms the right to use the waters of AN UNNAMED SPRING, A TRIBUTARY OF PACIFIC OCEAN for DOMESTIC USE FOR 18 FAMILIES.

This right was perfected under Permit S-51550. The date of priority is DECEMBER 14, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.02 CUBIC FOOT PER SECOND, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 N	10 W	WM	19	NE NW	1270 FEET SOUTH & 885 FEET EAST FROM MEANDER CORNER, SECTIONS 18 & 19

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

Twp	Rng	Mer	Sec	Q-Q
4 N	10 W	WM	19	NW NW
4 N	10 W	WM	19	SW NW

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

In the event of a request for a change in the point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued FEB 11 2011



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department

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Oregon Water Resources Department

FORM M

FOR MUNICIPAL AND QUASI-MUNICIPAL WATER SUPPLIES

[Information needed to make findings related to ORS 537.153(3)(c)]

- Please supply the required information in the spaces provided below. If any section of this form is not applicable, please write N/A and provide an explanation why it does not apply.
- Do not attach reference documents. If there is a need, the Department will request them.
- Your signature is certification that identified information is contained in the reference document(s).
- If adequate space is not available on this form to describe and justify your request for additional water, attach additional pages as necessary.

Water Supplier Information

Please provide the following information related to the water supplier requesting additional water. It should be noted that the name of a water supplier is often different than the service area (e.g., *City of ABC and XYZ Urban Growth Boundary*).

Cities are not the only municipal corporation; many kinds of special districts are also allowed to purvey water. Applications requesting to use water for Quasi-Municipal use may be submitted by entities including, but not limited to, the following types of governance: a water association; private water company; or (*if under the articles of incorporation*) a broader corporation such as a destination resort. Please attach a copy of the article of incorporation related to your distribution of water.

Name of Water Supplier/Entity	Name of Service Area	Governance	Contact Person
Cannon View Park, Inc.	Carnahan Road, Arch Cape	Board of non-profit domestic corporation	Richard Gibson, President
List any water suppliers within the same service area and/or any self-supplied industrial user. (Attach an extra sheet, if necessary.)			
n/a: Arch Cape Water District serves the area south of Cannon View Park, Inc., but there is no overlap.			

Request for Additional Water

Briefly explain the reason(s) for your request for additional water (e.g. *loss of current supply, backup, emergency supply, peak demand, growth, or other*). Much of the information needed may be contained in your Water Management and Conservation Plan, Water System Master Plan, or Capital Improvement Plan (*as applicable*).

Reason(s) for the Request for Additional Water	Time Table for Development of the Additional Water	Justification for Water Source & Amount Requested
backup, peak demand, and need for fire hydrant use	Summer 2023	3 new springs on our property to serve 50 homes served by one existing spring currently captured

Water Management and Conservation

- Do you have an approved Water Management and Conservation Plan? ☐ Yes ☒ No
- List the "In-Effect" date of your most recently approved Water Management and Conservation Plan: we don't have one
- Is your system fully metered? ☐ Yes ☒ No
- Do you perform annual water audits? ☒ Yes ☐ No
- Annual amount of water produced (MG): not known (diverted or appropriated)
- Annual amount of water billed for (MG): 1.36 (metered consumption)
- Identify your system's current annual water loss: unknown% (difference between the amount of water produced and the water billed for)
- Describe your rate structure and billing schedule: homes allowed 5,000 gal/month, then progressively increasing block rates for overusage [e.g., commodity rate (uniform rate, declining or inverted block rate); fixed charge with a commodity rate; or a fixed charge and commodity rate using a seasonal differential.]

Population

A supplier's population includes both permanent residential and transient populations. Residential population should be from census data or, if estimated, the method of estimation must be documented. Adopted comprehensive land use plans, water system master plans, or water management and conservation plans are examples of acceptable documentation. Transient populations are routine users of water by employers (*such as manufacturing or call center type facilities*) that increase the demand within a supplier's service area. Resort areas, regional airports, sea ports, areas with seasonally variable populations, and colleges/universities are also subject to this transient population test. Special events which are rare occasions (*such as parades, rodeos, festivals, etc.*) are not reasons to apply the transient population test.

Below, please indicate the current population to which you serve water, and cite the source of that information. Please also provide the historic population growth rate over the past 10 years and the projected population you anticipate serving in 20 years.

Present Population being Served:	Source of Information
1 continuously occupied home, 49 vacation homes	we are an incorporated homeowner association and water utility for our 50 homes
Historic population growth rate over the past 10 years:	Source of Information
unchanged over the past 10 years	as above
Projected Population to be Served in 20 Years:	Source of Estimate/Method Used
likely unchanged: there is no further property to be developed; some people may decide to make their vacation home their primary residence	as above

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Current Water Supply

In the table below, please describe all of the sources of your current water supply inventory (*both active and inactive*). Identify those sources and associated water rights that are currently in use. Additionally, please identify any water sources/water rights that are not currently used, or used only on a seasonal or emergency basis, and describe the reason(s) why. If any portion of your water supply is being purchased, identify the supplying entity and, if possible, indicate the water source.

Water Source (Include any wholesale purchases of water)	Water Right Numbers (Permit and/or Certificate)	Priority Date	Amount of Water Allowed	Actively Used? (Yes or No) If "No," explain.
single spring collected	Cert 33136	7/18/66	0.06 cfs	yes
same spring	Cert 39030	3/20/73	0.01 cfs	yes
same spring	Cert 86775	2/11/11	0.02 cfs	yes

Is this application for a new water use permit intended to be used as a primary or backup source? Explain how this right will be used to meet current demand and/or how it will be used to increase reliability and resiliency?

this application to collect from three new springs will be used to meet backup and peak demand as drought conditions may decrease the output of our currently collected spring

Current Water Use

Describe the nature of your current demands for water, as well as the water sources used to meet those needs.

Current Demands for Water (Year: 2021)

Water Source (Including wholesale water purchases)	Water Right Numbers (Permit and/or Certificate)	Peak or Maximum Demand		Average Demand	
		Maximum Instantaneous Rate (in cfs or gpm)	Maximum Daily Demand (MG)	Average Daily Demand (MG)	Average Annual Demand (MG)
as above	as above	5.3 gpm	0.008	0.004	1.36

- Per-capita daily demand (in gallons): 37 gallons per day per capita based on 2 people per household
(Divide average annual water sales by population to arrive at consumption, and then divide by 365 to get daily values.)
- Peak season (by month/day): 7/1 to 9/7
- Peak Season number of hours diverted/pumped (if available): we do not pump or change diversion during peak season

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- Peak season per-capita daily consumption (in gallons): 76 gallons per day per capita based on 2 people per household

(Divide total peak season demand by population and the number of days during the peak.)

- Peaking Factor (ratio between max day demand and average day demand): 2.05

Projected Water Use

Describe your anticipated water demands for the next 20 years, and identify the sources of water (*existing and/or new*) that will be used to meet those demands. Please also describe the methodology and/or information source used to make the projected water demand estimates.

Projected Demands for Water in 20 Years (Year: 2041)

- Current average per capita demand (in gallons): 37
- Projected population served in year (**2041**): 200, doubling average household occupancy
- Projected average annual demand (MG): 2.72
- Projected average daily demand (MG): 0.008
- Current peaking value: 2.05
- Projected maximum daily demand (MG): 0.016

Water Source (Including wholesale water purchases)	Water Right Numbers (Permit and/or Certificate) If a new water source, indicate so.	Projected Peak Daily Demand		Projected Average Daily Demand	
		Maximum Instantaneous Rate (in cfs or gpm)	Maximum Daily Demand (MG)	Average Daily Demand (MG)	Average Annual Demand (MG)
current captured spring	33136, 39030, 86775	5.3	0.008	0.004	1.36
requested with this application	TBD	5.3	0.008	0.004	1.36

Source or Methodology Used for Demand Projections:

estimate that seasonal occupancy and or permanent residency will double over the next 20 years

Describe any issues, deficiencies or limitations associated with your current water supply inventory contributing to the need to acquire additional water in order to satisfy your current and/or projected 20-year demands:

We've seen decreased flows during recent drought relative to past years. We are concerned that drought conditions may worsen, threatening the ability of our system to meet peak demand during the summer vacation months, especially with increased occupancy.

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Annual Water Use by Type

In the table below, list the quantity of water diverted for each type of water use and the percentage of the total diversion associated with that use type:

Type	Current Use		Use In 20 Years	
	Quantity Diverted:	Percentage of Total Diversion:	Projected Quantity to be Diverted:	Percentage of Total Diversion:
Residential:	1.36 MG	100%	2.72	100%
Commercial:				
Institutional¹:				
Agricultural²:				
Industrial:				
Other: (specify use)				
System Water Loss:	unknown	unknown	unknown	unknown
Total Diverted:	1.36 MG	100%	2.72 MG	100%

¹: Institution use includes water served to hospitals, federal, state, or municipal connections, and school districts.

²: Agricultural use includes any type of customer with a service connection dedicated for the raising of livestock or edible or non-edible crops.

Last revision: May 1, 2018/WRSD

Oregon Water Resources Department
Surface Water Application

 Main

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 Return

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Today's Date: Friday, October 22, 2021

Base Application Fee.		\$1,090.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	0.1	\$410.00
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. **	2	\$410.00
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
	Subtotal:	\$1,910.00
Permit Recording Fee. ***		\$610.00
* 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		\$2,520.00

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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

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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: \$2,320
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)

Water-Use Permit Application Processing

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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 \$310. 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 \$480.00 for the applicant and \$950.00 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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 22, 2021

Richard Gibson
Cannon View Park, Inc
80478 Carnahan Rd
Arch Cape OR 97102

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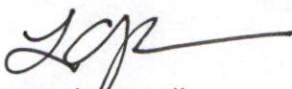
Dear Applicant:

The Water Resources Department has received your application for a permit to use surface water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules 690-310-0040 and 0050.

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees as noted on the following pages.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801 or 503-986-0810.

Sincerely,


Ar: Judy Ferrell

Water Rights Customer Service

Cc: OWRD Fiscal (Check # 5205),

Enclosures:

Fee Schedule

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

Application Completeness | Summary of Needed Items:

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- ☐ **Section 1: Application Information and Signature**
 - ☐ Complete the applicant/organization name and mailing address.
 - ☐ Please sign (in ink) of all applicants or the applicant's authorized agent (include title or authority if for an organization or corporation).
- ☐ **Section 2: Property Ownership**
 - ☐ The affected landowner's name and mailing address must be listed.
 - ☐ A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.
- ☐ **Section 3: Source of Water**
 - ☐ Include the name of the reservoir, in any. If you haven't named the reservoir, simply list N/A.
 - ☐ Include the source of water in the table in this section. For example, indicate if source is runoff, seepage, an unnamed stream, or spring.
 - ☐ Include the Township, Range, Section, Quarter-Quarter (TRSQQ) of the diversion.
 - ☐ Indicate, by checking yes or no, if you own the reservoir described in Section 3A.
- ☐ **Section 4: Sensitive, Threatened, or Endangered Fish Species Public Interest Information**
- ☐ **Section 5: Water Use**
 - ☐ Include the intended uses of impounded water under sub-section (a).
 - ☐ Include the amount of water to be stored, in acre-feet, under sub-section (b).
 - ☐ Include the amount of acres to be submerged by the reservoir, when filled, in sub-section (c).
- ☐ **Section 6: Dam Height and Composition**
 - ☐ Include the maximum height of the dam structure above the stream bed or ground surface, in feet, measured at the centerline of the crest of the dam.
 - ☐ Indicate if the dam will be earthfill, concrete, flash board or some other type.
- ☐ **Section 7: Primary Outlet Works**
 - ☐ Describe the location and dimensions of the outlet conduit through the dam in sub-section (a).
 - ☐ Describe how the outlet will be operated in sub-section (b).
 - ☐ Describe how you propose to protect fish through the outlet conduit in sub-section (c).
- ☐ **Section 8: Emergency Spillway**
 - ☐ Describe the location and the dimensions of the spillway channel in sub-section (a).
 - ☐ Describe how the emergency spillway will be designed to prevent erosion in sub-section (b).
 - ☐ Indicate the maximum design flow for the spillway in sub-section (c).
- ☐ **Section 9: Water Quality**
 - ☐ Describe how the reservoir will be managed to maintain water quality in the reservoir and downstream in sub-section (a).

- ☐ Describe how the perimeter of the reservoir will be buffered to limit nutrient and bacteria contamination in sub-section (b).
- ☐ Describe how annual maintenance of the reservoir will be accomplished without discharging contaminated water instream in sub-section (c).
- ☐ **Section 10: Project Schedule**
 - ☐ Complete sections (a), (b), and (c), listing dates when construction will begin, when it will be completed, and when you anticipating making beneficial use of water. Providing estimates is sufficient.
- ☐ **Section 11: Within a District**
 - ☐ If the proposed well or place of use are located within or served by an irrigation district or other water district, list the district's name and contact information in this section.

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Additional Application Materials or Forms:

- ☐ A completed Form M (Municipal or Quasi-Municipal). A form is enclosed for your use.
- ☐ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. Please use the Water Resources Department's form, which is enclosed for your use. *Please be certain that the Land-Use Form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*

- supplied* ☒ 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. This requirement can be met by providing a copy of the deed, land sales contract, title insurance policy, or a lot book report prepared by a title company. Copies of tax bills are not acceptable.

- ☐ A **Map** that includes the following items:
 - ☐ Must be prepared by a Certified Water Rights Examiner
 - ☐ 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 public-land survey corner on map
 - ☐ Location of each dam 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
 - ☐ Location of main canals, ditches, pipelines or flumes

- \$200 check enclosed* ☒ **Application Fees:** The application was submitted with a check in the amount of \$2320.00. In order to accept the application, the Department must receive \$2520.00 in fees (Application fee \$1910 and Recording Fee \$610). Please see the attached fee calculator for a summary of how those fees are calculated. Please note the Recording fee is not required when application is submitted but, must be paid before a permit will be issued.