



Development Permit

Clatsop County Community Development
800 Exchange St Ste 100
Astoria, OR 97103

Ph. (503) 325 - 8611 Fax (503) 338 - 3606

For Department Use Only

Permit #: 20190439
Permit Type: Type I
Entry Date: 8/21/2019
Entered By: Gail Henrikson
Assigned To:
Permit Status: Approved Conditional

Permit Timeline

User	Status	Date
Gail Henrikson	Entered	08/21/2019
Gail Henrikson	Approved Conditio	08/21/2019

Proposed Use

Proposed Use: **Utilities necessary for public service**

Zone: **RM** Description: Construction of a waer well for Falcon Cove Beach Domestic Water District
Overlay District: **GHO , NWI**

Owner/Project Location

Owner: Name: **Oregon Parks and Recreation Dept & ALICE BEAL** Ph. #: (503) 986-0761
Address: 725 Summer St #C Cell: () -
City, State, Zip: Salem, OR 97301 Fax: () -

Situs Address: I R S Q S Qq S Taxlot
City: State: OREGON 4 10 31 C 0 00100

Applicant/Agent

Applicant: Name: Charles Dice Ph. #: (503) -4360
Address: 79387 Ray Brown Road Cell: () -
City, State, Zip: Arch Cape, OR 97102 Fax: () -

Ph. #: () -
Cell: () -
Fax: () -

Fees

Fee Type: **Permit Fee Total:**
Planning/Development \$84.00
Total: \$84.00

Receipt

Payor Name: **Pymnt Type** **Check #** **Pymnt Date** **Pymnt Amount:**
Charles Dice Check 3433 08/21/2019 \$84.00

Balance Due: \$0.00

Signatures

1. For Commercial and industrial uses, include parking and loading plan, sign plan and erosion control plan.
2. For residential and other uses, include an erosion control plan.
3. Review attached applicant's statement and sign below.

I have read and understand the attached APPLICANT'S STATEMENT and agree to abide by the terms thereof.

Applicant Signature: _____ **Date:** _____
Owner Signature: _____ **Date:** _____
Agent Signature: _____ **Date:** _____



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Zoning District Requirements

Property Access Info.

Access to Property:
County Permit Required?
State Permit Required?

Direction	Setbacks	
	Req.	Actual
F:		
S1:		
S2:		
R:		

Property Information

Compliance/Permit Requirements

Clatsop County Compliance

Except as noted, the Clatsop County Community Development Department finds the proposed use(s)/action(s) in compliance with the Clatsop County Land & Water Development and Use Ordinance and with the Clatsop County Comprehensive Plan.

The evaluation of the land parcels outlined above is based on the information presented at this time, standards provided in the Clatsop County Land & Water Development & Use Ordinance, and policies of the Comprehensive plan, and the Zoning/ Comprehensive Plan Map.

The applicant or property owner must comply with the conditions noted below and on the attached applicants statement.
This permit is not valid unless the conditions are met.

Permit Requirements

Details

Geologic Hazard:	Geologic Hazard Waiver approved 08-21-2019 (#20190437)
Other conditions of approval:	Subject to requirements of OHA Site Plan Approval (PR #77-2019)

Entered by: Gail Henrikson

Entered Date: 08/21/2019

Applicants Signature: _____

Date: _____

Clatsop County Authorization: Gail Henrikson

Date: 8-21-19



Development Permit

Applicant's Statement

1. *Pertaining to the subject property described, I hereby declare that I am the legal owner of record, or an agent having the consent of the legal owner of record, and am authorized to make the application for a Development Permit/Action so as to obtain the following permits: Building, Sanitation, U.S. Army Corps of Engineers, Oregon Division of State Lands, Oregon Department of Transportation, Oregon Department of Parks and Recreation, or a Clatsop County Road Approach. I shall obtain any and all necessary permits before I do any of the proposed uses or activities. The statements within this application are true and correct to the best of my knowledge and belief. I understand that if the permit authorized was based on false statements, or it is determined that I have failed to fully comply with all conditions attached to and made a part of this permit, this permit approval is hereby revoked and null and void.*
2. *It is expressly made a condition of this permit that I at all times fully abide by all State, Federal, and local laws, rules, and regulations governing my activities conducted or planned pursuant to this permit.*
3. *As a condition for issuing this Development Permit/Action, the undersigned agrees that he/she will hold Clatsop County harmless from and indemnify the County for any and all liabilities to the undersigned, his/her property or any other person or property, that might arise from any and all claims, damages, actions, causes of action or suits of any kind or nature whatsoever, which might result from the undersign's failure to build, improve or maintain roads which serve as access to the subject property or from the undersign's failure to fully abide by any of the conditions included in or attached to this permit.*
4. **WAIVER OF VESTED RIGHTS DURING APPEAL PERIOD FOR ZONING AUTHORIZATIONS.**
I have been advised that this Land and Water Development Permit/Action by the Clatsop County Community Development Director may be appealed within twelve (12) calendar days of the date of permit issuance and authorization (note: if the twelfth day is a Saturday, Sunday or legal holiday, the appeal period lasts until the end of the next day which is not a Saturday, Sunday or legal holiday). I understand that if the approval authorized by the County and referenced above is reversed on appeal, then the authorization granted prior to the end of the appeal period will be null and void. I further understand and consent to the fact that any actions taken by me in reliance upon the authorization granted during the appeal period shall be at my own risk, and that I hereby agree not to attempt to hold Clatsop County responsible for consequences or damages in the event that removal of improvements constructed during the appeal period is ordered because an appeal is sustained.
5. *I am aware that failure to abide by applicable Clatsop County Land and Water Development and Use Ordinance 80-14, as amended and Standards Document regulations may result in revocation of this permit or enforcement action by the County to resolve a violation and that enforcement action may result in levying of a fine.*
6. *I understand that a change in use, no matter how insignificant, may not be authorized under this permit and may require a new Development Permit/Action (check first, with the Clatsop County Community Development Department).*
7. *I understand that this Development Permit/Action expires 180 days from the date of issuance unless substantial construction or action pursuant to the permit has taken place. Upon expiration, a new development permit must be obtained.*



Clatsop County
 Community Development
 800 Exchange Street, Suite 100
 Astoria, Oregon 97103
 Phone 503 325-8611 Fax 503 338-3606
comdev@co.clatsop.or.us www.co.clatsop.or.us

Development Permit
Fee: \$84.00

INSTRUCTIONS:

1. Complete form and attach site plan.
2. For commercial and industrial uses, include parking and loading plan, sign plan and erosion control plan.
3. For residential and other uses, include an erosion control plan.
4. Review applicant's statement and sign this form.

Proposed Use: CONSTRUCTION OF A WATER WELL FOR WATER DISTRICT

Base Zone: RM Overlay District(s): NONE

Project Location:

T 4 R 10 S 31C TL 100/100 Acres 84

Owner(s): OPRD Email: Alice Beals@oregon.gov
 Address: 725 SUMMER ST. N.E. SUITE C City/State/Zip: SALEM, OR. 97301
 Phone: _____ Phone: 503-986-0761

Applicant: FALCON CREEK BEACH WATER DISTRICT Email: FCBWD@gmail.com
 Address: 79387 1244 BROWN ROAD City/State/Zip: MUCH CREEK, OR. 97102
 Phone: 503-436-0146 Phone: _____

Other: _____ Email: _____
 Address: _____ City/State/Zip: _____
 Phone: _____ Phone: _____

SIGNATURES: I have read and understand the statements **ON THE BACK OF THIS FORM** and agree to abide by them. All owners of record, per Clatsop County Assessment records, must sign the application. Representatives of public agencies, corporations, trusts, etc. must provide documentation of signing authority.

Signature: Charles [Signature] SECRETARY Date: 4/21/2019

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

Setbacks	Required	Actual	Notes
(N, S, E, W) Front	_____	_____	_____
(N, S, E, W) Side	_____	_____	N/A
(N, S, E, W) Side	_____	_____	_____
(N, S, E, W) Rear	_____	_____	_____

Structure Height

- 18 ft. maximum Oceanfront (Zones RSA-SFR, CBR, CR)
- 26 feet maximum
- 35 foot maximum
- Other _____

N/A

Fire District Sign Off Agency Name: LANNON BEACH RURAL FPD

Sewage Disposal

- None Required
- Public Sewer Agency Name: _____
- Private Sewer Permit# or Sign Off _____
- Subsurface System

Water Requirements

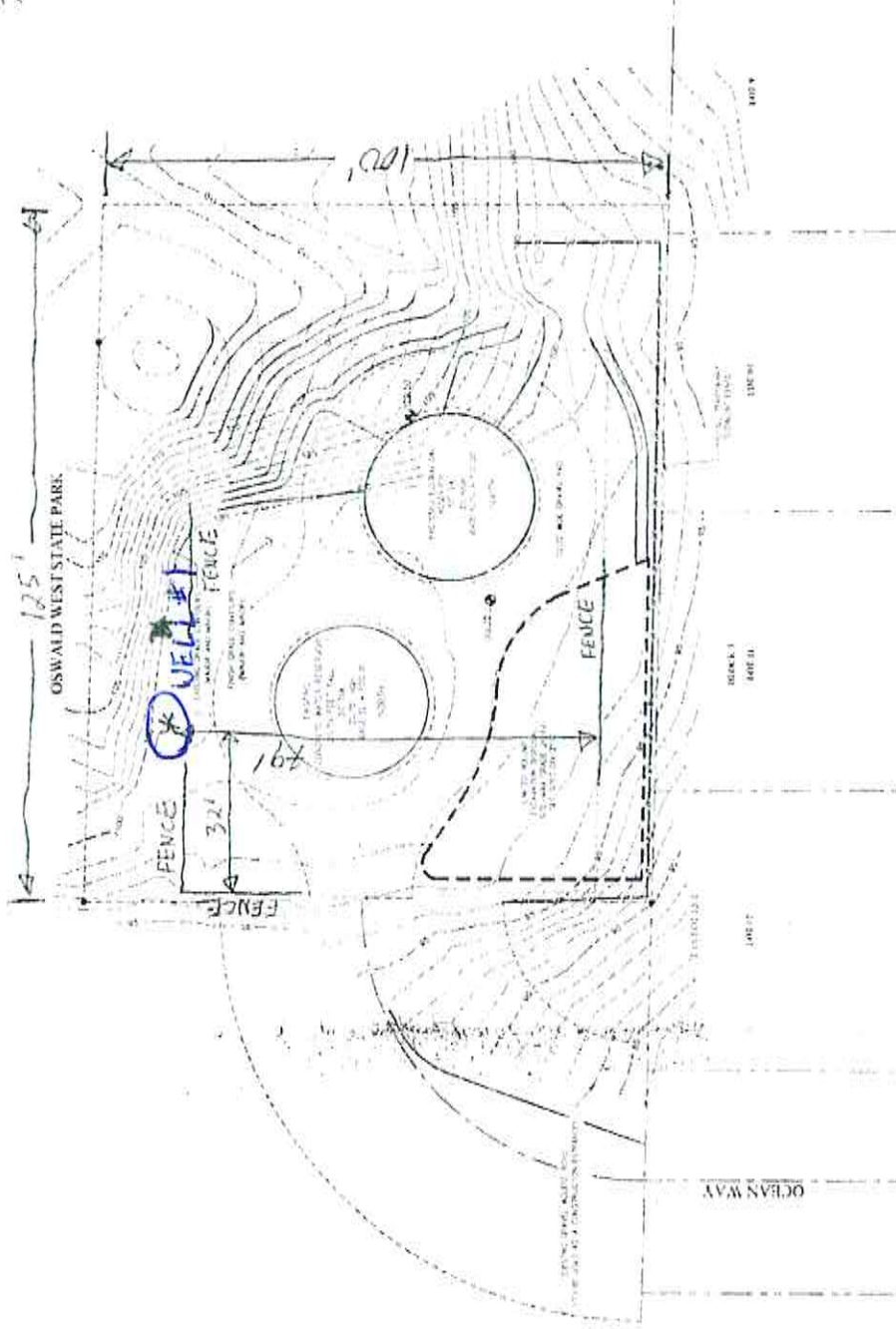
- None Required
- Private Water Source _____
- Public Water Source Agency Name: _____
- Well, Spring, etc. Potability Test and/or Watermaster Certification attached

- Access - County or ODOT Permit# _____
- Average Grade Calculations _____
- Beaches & Dunes Stabilization and/or Revegetation
- Coastal Shorelands
- Conditional Use Permit # _____
- DSL Wetland Fill/Removal Permit# _____
- Erosion Control Plan
- Engineering Report
- Firebreak; clear & maintain firebreak of at least _____ feet radius around proposed structure
- Floodplain Permit# _____
- Geologic Hazard or Waiver Permit# _____
- Lot Coverage _____
- Parking Plan
- Plot Plan
- Post-Construction Survey
- Resource Zone Certification (recorded with County Clerk) _____
- Road Improvement
- Storm water Drainage Plan Permit# _____
- Temporary Use Permit # _____

Notes: DRELL WELL 8 INCH DIAMETER 170 FEET DEEP ON APRED PROPERTY LEASED TO FCBLWD. AS SHOWN ON ATTACHED DRAWING

Update C. Dice
2/10/2019

~~SEEL~~



- NOTES
1. ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE NOTED.
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 8. ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE NOTED.

- LEGEND
- EXISTING GRADE
 - - - - - PROPOSED FENCE
 - - - - - PROPOSED ROCK
 - - - - - GRADE LINE
 - - - - - EROSION CONTROL
 - - - - - LIMIT OF FILL

RESERVOIR GRADING AND EROSION CONTROL PLAN
 WATER SOURCE RESERVOIR NO. 2
 CLAY COUNTY, MISSISSIPPI

S2	OF	7
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CLAY COUNTY SUCCESSIONAL WATER SUPPLY SYSTEM
 RESERVOIR GRADING AND EROSION CONTROL PLAN
 WATER SOURCE RESERVOIR NO. 2
 CLAY COUNTY, MISSISSIPPI

CLAY COUNTY SUCCESSIONAL WATER SUPPLY SYSTEM
 RESERVOIR GRADING AND EROSION CONTROL PLAN
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 CLAY COUNTY, MISSISSIPPI



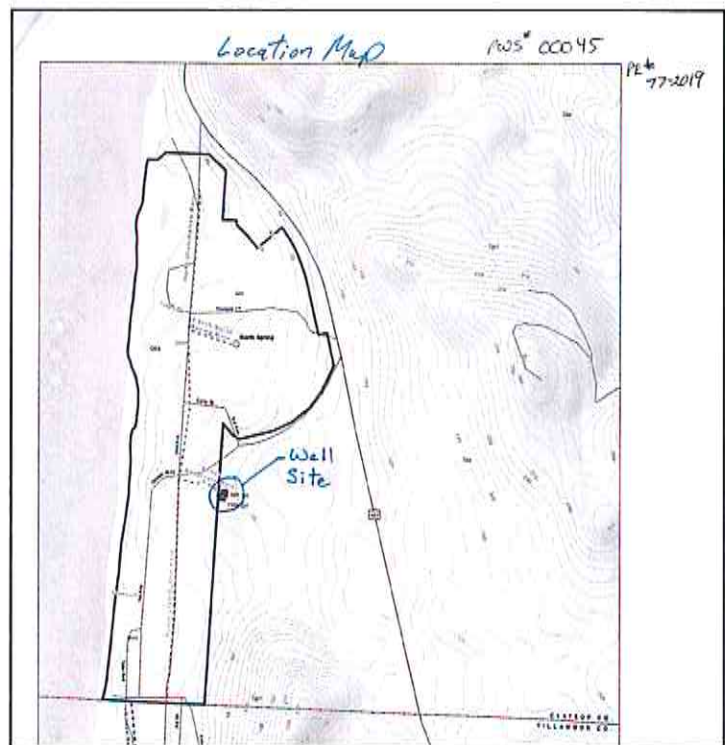
June 13, 2019

Ed Hodges, PE
Curran-McLeod, Inc.
6655 S.W. Hampton St., Suite 210
Portland, OR 97223

Re: **Falcon Cove Beach Water District (PWS #00045) – New Well L132105**
Curran-McLeod Project # 1530
Site Plan Approval (PR #77-2019)

Dear Mr. Hodges:

Thank you for your submittal to the Oregon Health Authority's Drinking Water Services (DWS) of plan review information for the new well on behalf of the Falcon Cove Beach Water District. On May 6, 2019, our office received a site map showing the location of a new well proposed for the District and a preliminary water well construction diagram. A plan review fee of \$825 and Land Use Compatibility Statement was received on May 6, 2019. The project includes drilling a new well to serve the District as shown to the right.



The proposed well site is approved. Please see the well evaluation results from our geologist on page 3 of this letter and the information listed on page 2 of this letter needed to complete this review as this site plan approval does not constitute approval for use of the well or approval on behalf of any other county or state agency (approval for use is not granted until a "Final Approval" letter has been issued).

Information needed to complete this review

In order to complete this review, please provide:

- 1) Plans and details showing how the new well will be plumbed into the system as well as GPS coordinates for the new well and details of the wellhouse showing construction in accordance with OAR 333-061-0050(2).
- 2) Evidence of the applicable land use approvals from Clatsop County (see page 4 of this letter);
- 3) Evidence of the applicable water rights required by the Water Resources Department (see page 4 of this letter);
- 4) Revised lease agreement with Oregon Parks and Recreation (OPRD) indicating that hazards will not be allowed within 100-ft of the well (see page 3 for acceptable language proposed by OPRD). Keep in mind that the current lease arrangement is for a limited time and, the District will need to maintain this lease agreement for as long as the District plans to use the well.
- 5) Test results for SOC, VOC, IOC, Uranium, Radium 226/228, Gross Alpha, and coliform bacteria (presence absence). Subsequent monitoring will depend upon the results of this monitoring and will generally be as shown in table 1 below.

Table 1 – Initial monitoring				Year 2	Year 3
Year 1				Year 2	Year 3
Sampling to be completed prior to Final Approval	Sample by the end of the first quarter of operation (after Final Approval)	2nd Quarter of Operation	3rd Quarter of operation		
Sample at the Source (SRC-CA)	Sample at the Entry Point (EP-C) to the distribution system served by the new source				
<ul style="list-style-type: none"> • Coliform • Nitrate, Nitrite • IOC, VOC, SOC • Arsenic • Radiological including uranium, gross alpha, and radium 226/228 	<ul style="list-style-type: none"> • Radiological • Lead and copper tap samples 	<ul style="list-style-type: none"> • Radiological if detects 	<ul style="list-style-type: none"> • Radiological if detects 	Annual: <ul style="list-style-type: none"> • Nitrate • VOC • SOC 	
Sampling at Customer Taps	Tap Sampling in the Distribution System (to assess impact of the new well on distribution system corrosion).				
<ul style="list-style-type: none"> • Lead and Copper 	<ul style="list-style-type: none"> • Sample at 10 Tier 1 sites (1st 6-months of operation) 		<ul style="list-style-type: none"> • Sample at 10 Tier 1 sites (second 6 months of operation) 	Reduction to 5 tap samples every 3 years is possible depending upon results	

Documentation and test results submitted to address the above-mentioned items should reference Plan Review #77-2019 and can be emailed to me at evan.e.hofeld@state.or.us or mailed to:

Attn: Evan Hofeld
OHA-Oregon Drinking Water Program
PO BOX 14450
Portland, OR 97293-0450

If you have any questions, please feel free to call me at 971-673-0419.

Sincerely,



Evan Hofeld, PE
Oregon Health Authority – Drinking Water Services

CC: Charles Dice, Falcon Cove Beach Water District
Annette Pampush, Tillamook County Environmental Health
Gail Henrikson, Clatsop County Community Development
Nikki Hendricks, Oregon Water Resources Department
Alice Beals, Oregon Parks and Recreation Department

Geologist Evaluation of the Well Report (adequately constructed into confined aquifer)

The proposed site plan was sent to our geologist, Tom Pattee, on 5/9/19 who discovered the well driller's report (CLAT 55068, Well ID# L132105), which showed that the well had been drilled on January 2, 2019. You confirmed on 5/14/19 that the well report was for a test well, which will be used as the District's supply well. Mr. Pattee evaluated the constructed well and provided the following comments on 5/21/19:

Comments: This well was drilled to a depth of 173 ft. The casing extends to a depth of 166 ft and the casing seal to a depth of 115 ft. The casing seal is completed 21 ft into a 57 ft thick sandstone layer that appears to be of low permeability and is assumed to act as confining layer. Sensitivity Analysis results suggest that the well construction is not sensitive to nearby land use practices.

Nature of Aquifer Evaluation:

Aquifer Nature: Confined aquifer Semi-confined aquifer Unconfined aquifer

Comments: This well draws water from what is interpreted as a thin basalt layer within the surrounding sandstone. The water-bearing zone is directly overlain by 57 ft of sandstone that is assumed to be of low permeability and acts as a confining layer. The static water-level rose from where first encountered in the basalt at 151 ft below ground level to 141 ft below ground level. Sensitivity Analysis result suggest that the aquifer is not highly sensitive to local land use practices.

Clatsop County Land Use Approval/Geologic Hazard Permit/Development Permit (required)

As of 5/30/19, the District had not submitted any applications to Clatsop County land use. The District will need a geologic hazard permit (or waiver) and a development permit. The District will need to work with Clatsop County to address their requirements as this site plan approval is not an approval on behalf of Clatsop County. Please contact Gail Henrikson with Clatsop County Community Development at:

Gail Henrikson, AICP, CFM, Director
Clatsop County Community Development
800 Exchange Street, Suite 100
Astoria, OR 97103
503.325.8611
503.338.3666 Fax
ghenrikson@co.clatsop.or.us
www.co.clatsop.or.us

Water Rights (potentially required)

As of June 3rd, 2019, the District had not applied for water rights with the Water Resources Department. The district will need a water right or do a transfer to use the well. Unless they only use the 15,000 gallon per day as an exempt group domestic use. Please contact Nikki Hendricks of the Oregon Water Resources Department to determine their requirements, as this site plan approval is not an approval to use the well without the appropriate water rights.

Nikki Hendricks
Watermaster, Dist. 1
Oregon Water Resources Department
4000 Blimp Blvd. Suite 400
Tillamook, OR 97141
Phone: 503-815-1967
Fax: 503-815-1968
Email: Nikki.M.Hendricks@oregon.gov

Control and prohibition of hazards within 100-ft of the well (required – ongoing)

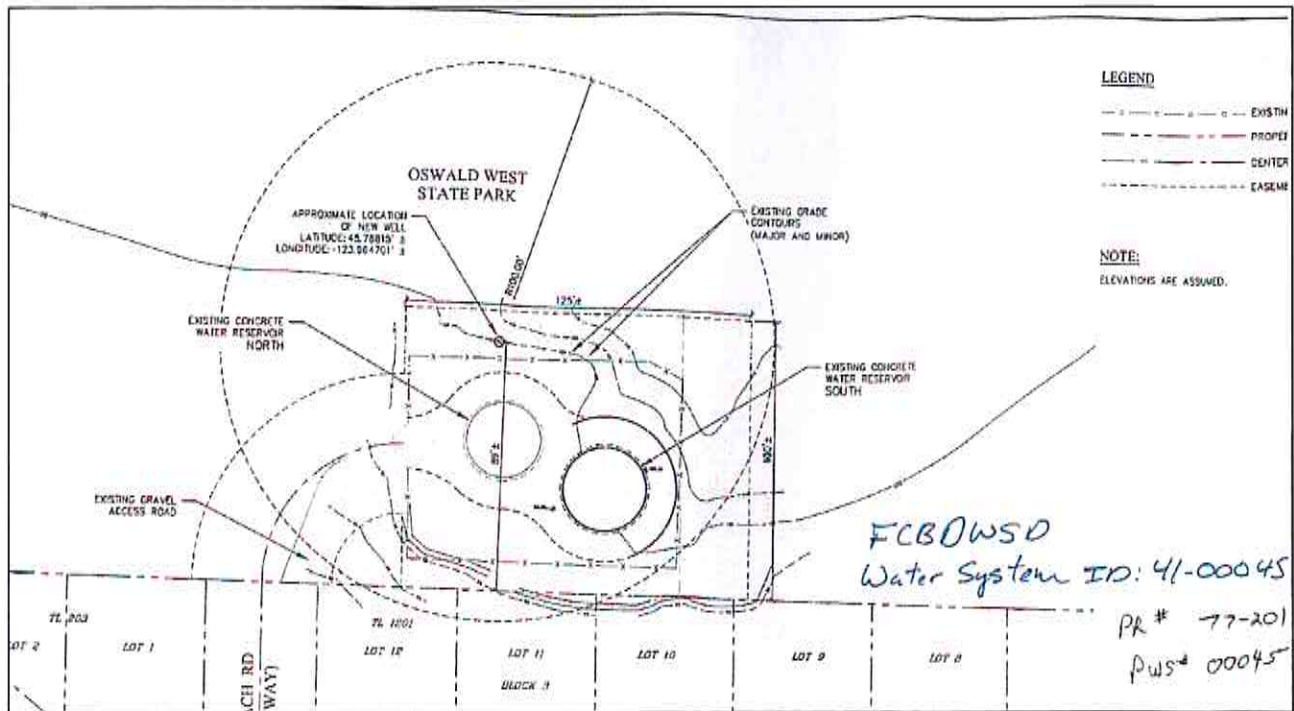
Control/access around the well is granted to the District through a lease agreement with Oregon Parks and Recreation Department (the well and tanks are constructed in Oswald West State Park). The lease agreement will need to be amended to ensure that requirements for hazard setbacks in OAR 333-061-0050(2)(C) and (E) are met.

- (C) For wells located on land owned by a public entity, (Federal, State, County, Municipality) where the entity is not the water supplier, a permit may be issued by the public entity to the water supplier in lieu of an easement. Said permit shall state that no existing or potential public health hazard shall be permitted within a minimum of 100 feet of a well site;

June 13, 2019

(E) The following sanitary hazards are not allowed within 100 feet of a well which serves a public water system unless waived by the Authority: any existing or proposed pit privy, subsurface sewage disposal drain field; cesspool; solid waste disposal site; pressure sewer line; buried fuel storage tank; animal yard, feedlot or animal waste storage; untreated storm water or gray water disposal; chemical (including solvents, pesticides and fertilizers) storage, usage or application; fuel transfer or storage; mineral resource extraction, vehicle or machinery maintenance or long term storage; junk/auto/scrap yard; cemetery; unapproved well; well that has not been properly abandoned or of unknown or suspect construction; source of pathogenic organisms or any other similar public health hazards. No gravity sewer line or septic tank shall be permitted within 50 feet of a well which serves a public water system. Clearances greater than indicated above shall be provided when it is determined by the Authority that the aquifer sensitivity and degree of hazard require a greater degree of protection. Above-ground fuel storage tanks provided for emergency water pumping equipment may be exempted from this requirement by the Authority provided that a secondary containment system is in place that will accommodate 110 percent of the fuel tank storage.

Background: The current lease granted access/permission to develop water supply facilities within a 100-ft x 100-ft area in Oswald West State Park as shown below.



June 13, 2019

The initial lease appears to have started in 1989 for an initial duration of 5-years with three 5-year renewals, making it effectively a 20-year lease as shown below:

BACKGROUND

OPRD owns the land located at Oswald West State Park in the County of Tillamook, State of Oregon (collectively, the "Premises"). On July 17, 1989, OPRD granted a permit to FCBDWSD to construct and maintain a 79,000 gallon water tank and associated water line in a 100' x 100' area of land within the park. Comes now, FCBDWSD desiring to lease an additional portion of the Premises in order to add a second water tank. OPRD desires to grant to FCBDWSD the right to combine this additional portion of the Premises with the existing area in accordance with this Agreement.

The parties agree as follows:

1. **LEASE OF PREMISES.** OPRD hereby leases to FCBDWSD a certain portion of the Premises containing approximately 15,625 square feet, as more fully depicted on attached Exhibit 1.
2. **PERMITTED USE.** FCBDWSD may use the Premises to construct and maintain a new 105,000 gallon water tank including continuing use the existing 79,000 gallon water tank and water line as granted in the 1989 permit through the term of this Agreement (collectively, the "Permitted Use").
3. **TERM.**
 - (a) The initial lease term will be five (5) years ("Initial Term"), commencing on the Effective Date. The Initial Term will terminate on the fifth (5th) annual anniversary of the Effective Date.
 - (b) This Agreement will automatically renew for three (3) additional five (5) year term(s) (each five (5) year term shall be defined as the "Extension Term"), upon the same terms and conditions unless the FCBDWSD notifies the OPRD in writing of FCBDWSD's intention not to renew this Agreement at least thirty (30) days prior to the expiration of the existing Term.

A March 2019 lease amendment granted the District permission to construct and operate a water well in the 100'x100' space within the park. The District is in the 3rd of 3 5-year renewal periods. The lease agreement currently does not adequately address control and exclusion of hazards within 100-ft of the well under OAR 333-061-0050(2)(a)(C) and (E). OPRD proposed acceptable language that would address these requirements as shown below:

"OPRD recognizes and agrees that, in compliance with OAR 333-061-0050(2)(a)(C), OPRD will not allow any development or use of OPRD lands within 100 feet of the well site that are inconsistent with OAR 333-061-0050(2)(a)(E)."

Alice M. Beals
Oregon Parks and Recreation Department
725 Summer Street NE, Suite C
Salem, Oregon 97301-1266
(503) 986-0761 (office)
(503) 580-1568 (cell)

OPR # 77-2019
PWS# 00045

1st AMENDMENT TO THE LEASE AGREEMENT

THIS 1st AMENDMENT TO THE LEASE AGREEMENT; dated as of the latter of the signature dates below, is by and between the State of Oregon, by and through the Oregon Parks and Recreation Department, having a mailing address of 725 Summer St. NE, Suite C, Salem, OR 97301 (OPRD) and the Falcon Cove Beach Domestic Water Supply District (FCBDWSD), having a mailing address of 79387 Ray Brown Road, Arch Cape, Oregon 97102.

WHEREAS, OPRD and FCBDWSD entered into a lease dated December 4, 2009 whereby OPRD leased to FCBDWSD the Premises, therein described, located within Oswald West State Park (Lease Agreement); and

WHEREAS, OPRD and FCBDWSD desire to amend the Lease Agreement to allow FCBDWSD to construct, operate and maintain a water well system on said Premises; and

WHEREAS, OPRD and FCBDWSD, in their mutual interest, wish to amend the Lease Agreement as set forth below accordingly,

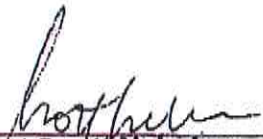
NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, OPRD and FCBDWSD agree as follows:

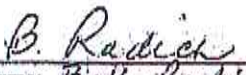
1. **Right to Construct Water Well.** FCBDWSD, its contractors, employees, agents and subcontractors shall have the right to go upon the Premises for the purpose of constructing a well water system, to include pump house and utilities necessary for the continued use, operation and maintenance of said well water system.
2. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Lease Agreement and this 1st Amendment, the terms of this 1st Amendment shall control. Except as expressly set forth in this 1st Amendment, the Lease Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Lease Agreement to itself shall be deemed also to refer to this 1st Amendment.
3. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Lease Agreement.

IN WITNESS WHEREOF, the parties have caused this 1st Amendment to be effective as of the last date written below.

OPRD:

FCBDWSD:

By: 
 Print Name: Scott Nebeker
 Its: Park Development Administrator
 Date: 3-19-19

By: 
 Print Name: Beth Radick
 Its: Board Chair
 Date: March 16, 2019

**State of Oregon
Parks and Recreation Department**

Falcon Cove Beach Water District (Permittee)	Right of Entry Permit Oswald West State Park Tillamook County
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This Right of Entry Permit is between the State of Oregon, Parks and Recreation Department, hereinafter called the Department and Falcon Cove Beach Water District, hereinafter called Permittee. The Department's supervising representative for this Permit is Ben Cox, Park Manager, 34600 Gary St., Nehalem, Oregon 97131, phone (503) 368-5943, ext. 222.

The subject property is identified on Exhibit A, hereinafter called Department's property.

Effective Date and Duration: This Permit shall become effective on the date signed by all parties and will continue until the project is completed. Department can revoke the permit if the work is not completed within two (2) months of the effective date of the Permit.

Purpose of Agreement: The Permit is given for the purpose of allowing Permittee, its contractors, employees, agents and subcontractors, the right and license to go upon Department's property for the purpose of drilling no more than two test wells on the subject property, which is currently being leased by Permittee, and to allow for the monitoring of historical and cultural resources. Said activity is only for drilling test wells to study the feasibility of constructing a new water supply well on Department's property. This permit does not allow for the construction of a new well. Such activity, should one of the test wells prove feasible, will require an amendment to the lease with additional terms and conditions, subject to approval by both parties.

Fee: The fee for this Permit shall be \$0.00.

Terms and Conditions:

1. This Permit will terminate when the testing work is completed. However, the Department may, in its discretion, restrict this permit effective immediately on notice to the Permittee in the event of an emergency or substantial threat to the public welfare, safety or property arising from the activity, and may cancel the permit effective immediately upon any breach of other permit conditions. The Permittee shall terminate the activity immediately upon receipt of notice from the Department that the permit has been cancelled
2. Permittee shall employ erosion control during activity and restore the property upon completion of their work in a manner agreed to by the Park Manager.

3. No trimming of trees, tree removal or improvements are allowed on Department's property.
4. Permittee must follow the following conditions from the Department's Archaeologist:
 - a. Provide archaeological monitoring by a professional archaeologist during all ground disturbing activities. Provide OPRD a copy of the monitoring report detailing the results of the current project.
 - b. Provide OPRD with a copy of the archaeological monitoring report prepared during the initial construction of the tanks in 2009-2010.
 - c. In the event that archaeological or historical resources (historic objects, cultural features, artifact concentrations, or human remains) are encountered during the project, all activities will be stopped at the site of the discovery until the find can be evaluated by a qualified archaeologist. Immediately contact the OPRD cultural resources staff for further guidance. Work should remain stopped at the site of the discovery until the find has been evaluated and recommendations made in consultation with the OPRD Archaeologist, State Historic Preservation Office (SHPO), and affected Tribes if necessary in accordance with applicable State laws and regulations.
5. Except in the case of emergency conditions, such as vehicle or equipment failure, no party shall obstruct the use of Department's property. All risk of loss of Permittee's property shall be that of Permittee. Permittee acknowledges that it examined and has knowledge of Department's property.
6. The Permittee shall not move, cover, disturb, damage or destroy any boundary markers or stakes on Department's lands.
7. Upon the termination of this agreement, or prior thereto, the Permittee shall clean up the area upon which any materials have been piled and stored and shall leave the property in a clean and sightly condition. If Permittee does not remove materials, Department may have the materials removed and recover costs and damages from the Permittee.

Assignment: The Permittee shall not assign this permit, nor any rights granted hereunder, in whole or in part.

Compliance with all Government Regulations: Permittee shall be responsible to insure that uses under this permit are consistent with the local land use plan for the area. Permittee shall also comply with all applicable federal, state and local laws, regulations and ordinances.

Indemnity/Hold Harmless: The Permittee shall indemnify, defend, and hold harmless the State of Oregon and its Parks and Recreation Commission, its Parks and Recreation Department, its

officers, divisions, employees, agents, against any and all damages, claims, suits, or cause of action of any nature arising out of or in connection with the activities of Permittee.

Acts or Omissions: The Permittee shall keep the said lands free and clear at all times from all liens and encumbrances, and claims of every character, which are based upon any act or omission on the part of the Permittee or claimed under him/her, or which arise out of his/her exercise of any right granted or failure to perform any obligation imposed hereunder, and which would in any way bind or become a charge or lien against the said lands.

Amendments: The terms of this agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever without prior written approval of the Department.

Insurance: Permittee assumes full responsibility and liability for damages or injury to any member of the public arising out of the Permittees activity, including personal injury and property damage, and for any damage to park property. Permittee shall provide proof of insurance which names the State of Oregon, its Parks and Recreation Department, and its divisions, officers, agents, employees and commission members as additional insured's. The coverage shall be as follows:

- a. Commercial General Liability insurance covering personal injury and property damage in an amount not less than \$1,000,000 combined single limit per occurrence.
- b. Failure to provide the insurance certificate as required herein shall be a default allowing the Department to terminate this Agreement.

Accepted by Permittee FCBWD SECRETARY 12/21/2018
Date

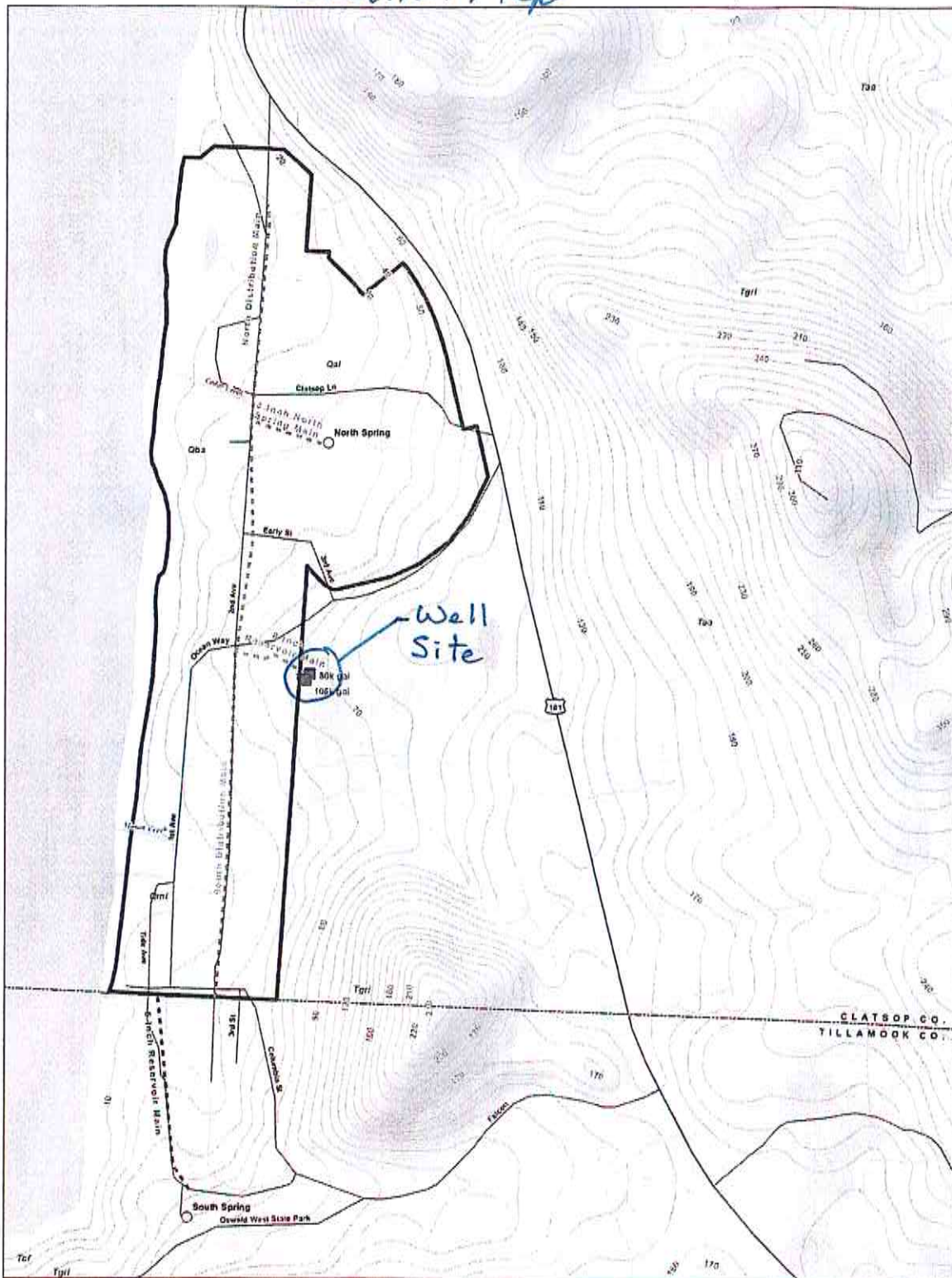
Approved by Oregon Parks and Recreation Department:

Park Manager 12/21/18
Date

Location Map

PWS # 00045

PR # 77-2019



LEGEND

- | | | |
|------------------------------|--------------------------------|--------------------------------------|
| ○ Spring | Mains | Tcf, Cape Falcon Conglomerate |
| ◻ Reservoir | - - - North Distribution Main | Qmt, Coastal Marine-Terrace Deposits |
| ◻ Falcon Cove Water District | - - - South Distribution Main | Tgri, Intrusive Grande Ronde Basalt |
| All Other Features | - - - 8 Inch North Spring Main | Qal, Quaternary Alluvium |
| — Elevation Contour, 5' | - - - 8 Inch Reservoir Main | Qbs, Quaternary Beach Sand |
| ◻ County Boundary | - - - 6 Inch Reservoir Main | Tsc2, Smuggler Cove Formation |
| — Watercourse | Surficial Geology | |
| — Waterbody | Tas, Astoria Formation | |

NOTE:

1. Falcon Cove Beach Water District has been truncated at the Clatsop County border and the District extends into Tillamook County, and includes the South Spring.

FIGURE 2

Surficial Geology of Falcon Cove Beach
Preliminary Water Supply Source Expansion Assessment for Falcon Cove Beach Water District

Date April 9, 2018
Data Sources: EDRI, USGS, Clatsop Co., DCGAM

LEGEND

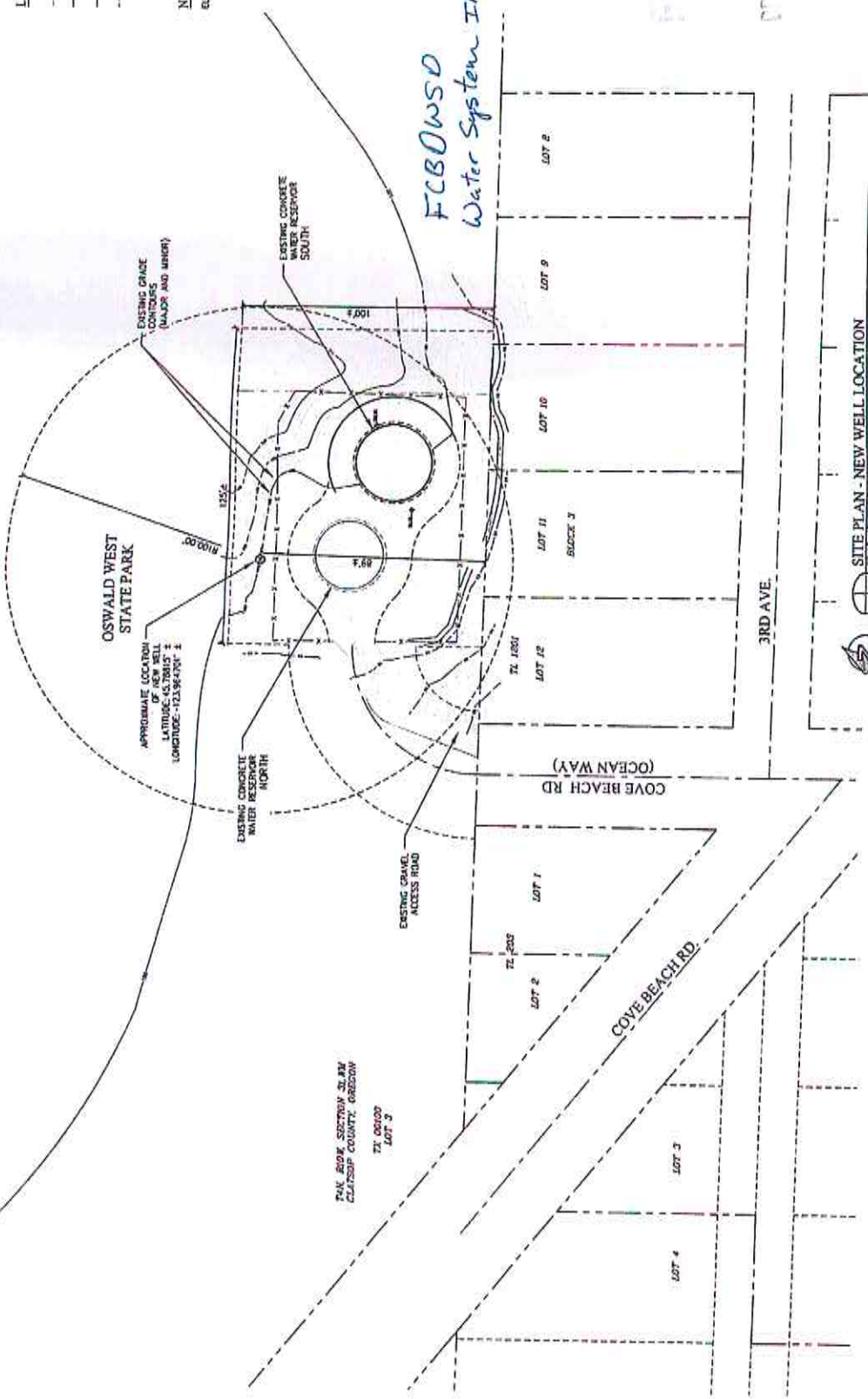
- - - - - EXISTING FENCE
- - - - - PROPERTY LINE
- - - - - CENTER LINE
- - - - - EASEMENT LINES

NOTE

ELEVATIONS ARE ASSUMED.

FCBOWSD
Water System ID: 41-00045
PR # 77-2019
PWS# 00045

RECEIVE
MAY 06 2019
DRINKING WATER DIVISION



NO. REV.	DATE	DESCRIPTION
1		OF
1		1

FALCON-COVE BEACH DOMESTIC WATER SUPPLY DISTRICT
NEW WELL SITE PLAN
WATER STORAGE RESERVOIR NO. 2
CLATSOP COUNTY, OREGON

CURRAN-MCLEOD, INC.
CONSULTING ENGINEERS
8655 S.W. SHAWSON ST., SUITE 210
PORTLAND, OREGON 97223
PHONE (503) 881-3478

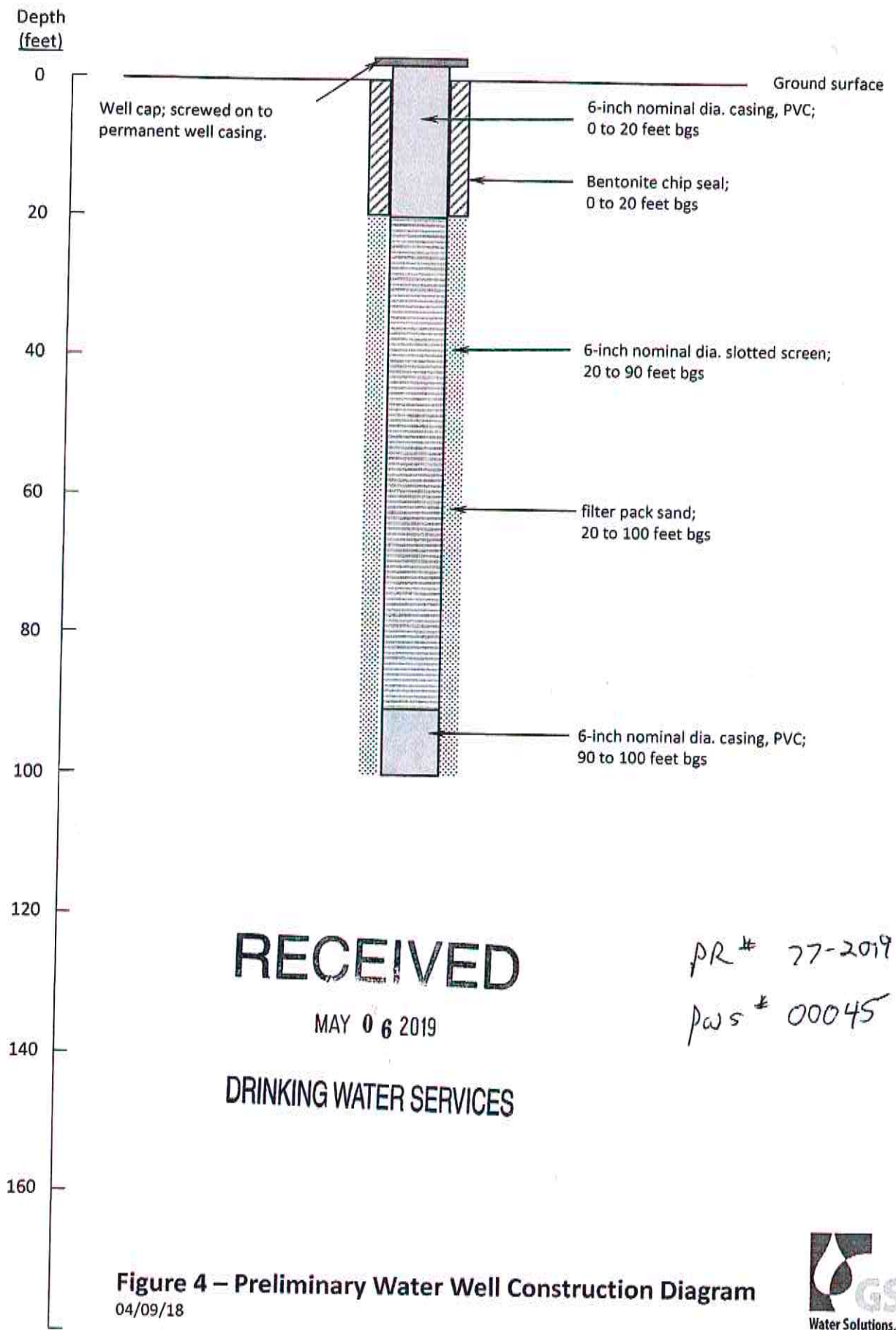
REVISIONS

NO.	DATE	DESCRIPTION

THIS IS THE ONLY ORIGINAL DRAWING TO BE USED FOR CONSTRUCTION. ALL OTHERS ARE UNAUTHORIZED COPIES.



SITE PLAN - NEW WELL LOCATION
SCALE: 1" = 20'



RECEIVED

MAY 06 2019

DRINKING WATER SERVICES

PR # 77-2019

PWS # 00045

Figure 4 – Preliminary Water Well Construction Diagram
04/09/18



CURRAN-McLEOD, INC.
6655 S.W. HAMPTON ST., SUITE 210
PORTLAND, OR 97223

PHONE (503) 684-3478
FAX: (503) 624-8247

RECEIVED
MAY 06 2019

LETTER OF TRANSMITTAL

FIELD SERVICES
DRINKING WATER PROGRAM

TO: Plan Review OHA Drinking
Water Services
800 NE Oregon Street, Suite
640
Portland, Oregon 97232-2162

DATE: 3/27/2019

7-7-2019
PDS-6-19
#825

PWS # 00045

FROM: Edward Hodges

PROJECT: FCB - New Source Well

PROJ. # 1530

RE: Falcon Cove Beach Plan Review for Proposed Well - Prior to Construction

NOTE: _____

Attached are:
Fee Check, Signed LUCs, Locus and Site Plans and Well Construction Details

The attached document(s) was/were transmitted as checked below:

- For signature and return
- For your information/use
- For review and comment

- For approval and return
- Per your request
- Other _____

LEGEND

- EXISTING FENCE
- PROPERTY LINE
- CENTER LINE
- EASEMENT LINES

NOTE:
ELEVATIONS ARE ASSUMED.

FCBOWSD
Water System ID: 41-00045
PR # 77-2019
PWS# 00045

RECEIVED
MAY 06
MIDKING WATER SERVICES

DATE	BY	DESCRIPTION
JULY 2010
1 OF 1		

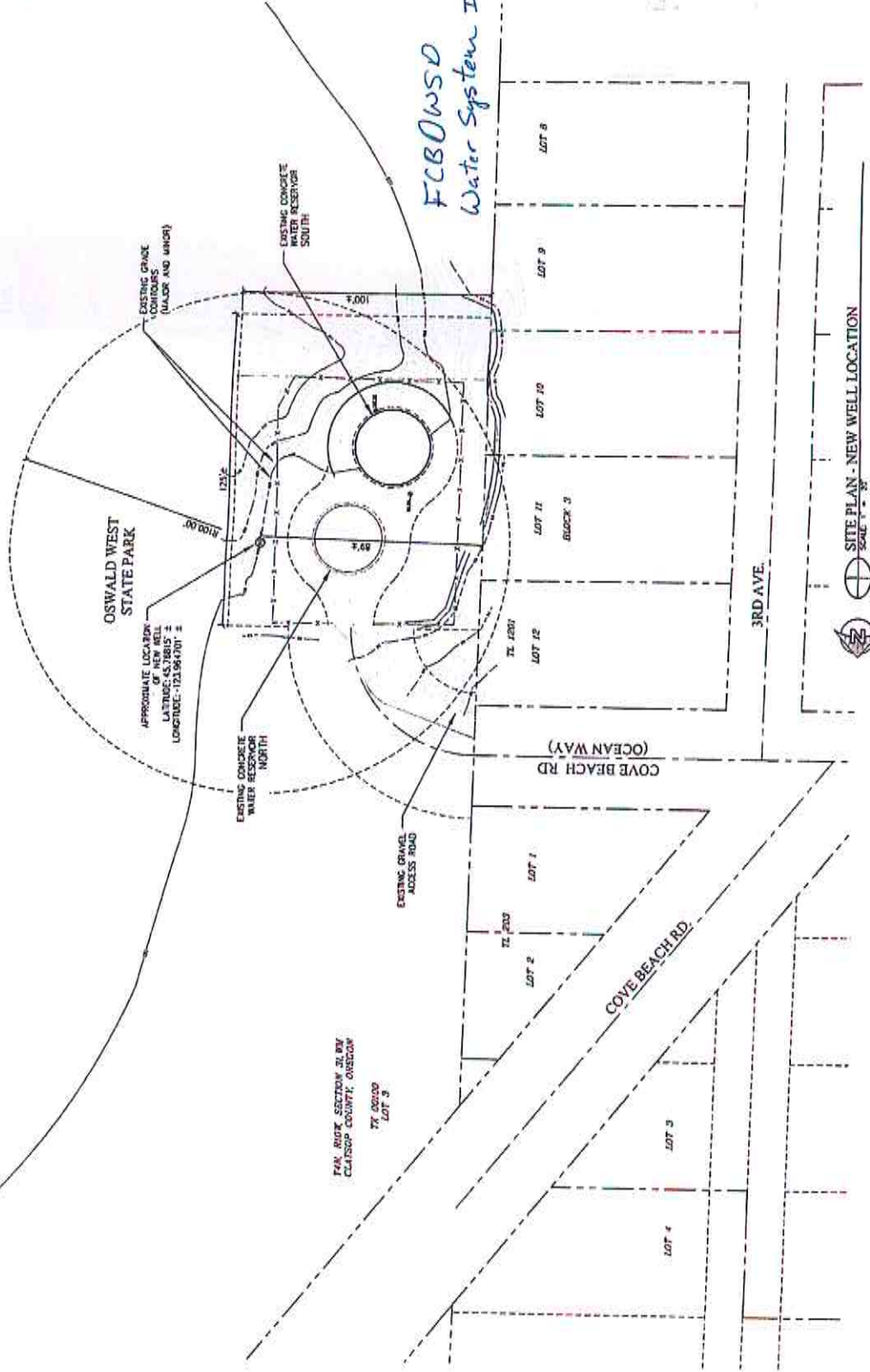
FALCON COVE BEACH DOMESTIC WATER SUPPLY DISTRICT
NEW WELL SITE PLAN
WATER STORAGE RESERVOIR NO. 2
CLATSOP COUNTY, OREGON

CURRAN-MCLEOD, INC.
CONSULTING ENGINEERS
8535 SE HAWTHORN CT. SUITE 205
PORTLAND, OREGON 97203
PHONE (503) 581-3478

REVISIONS

NO.	DATE	DESCRIPTION

ONE INCH IS EQUAL TO
FOOT ON THIS PLAN
UNLESS OTHERWISE
SPECIFIED



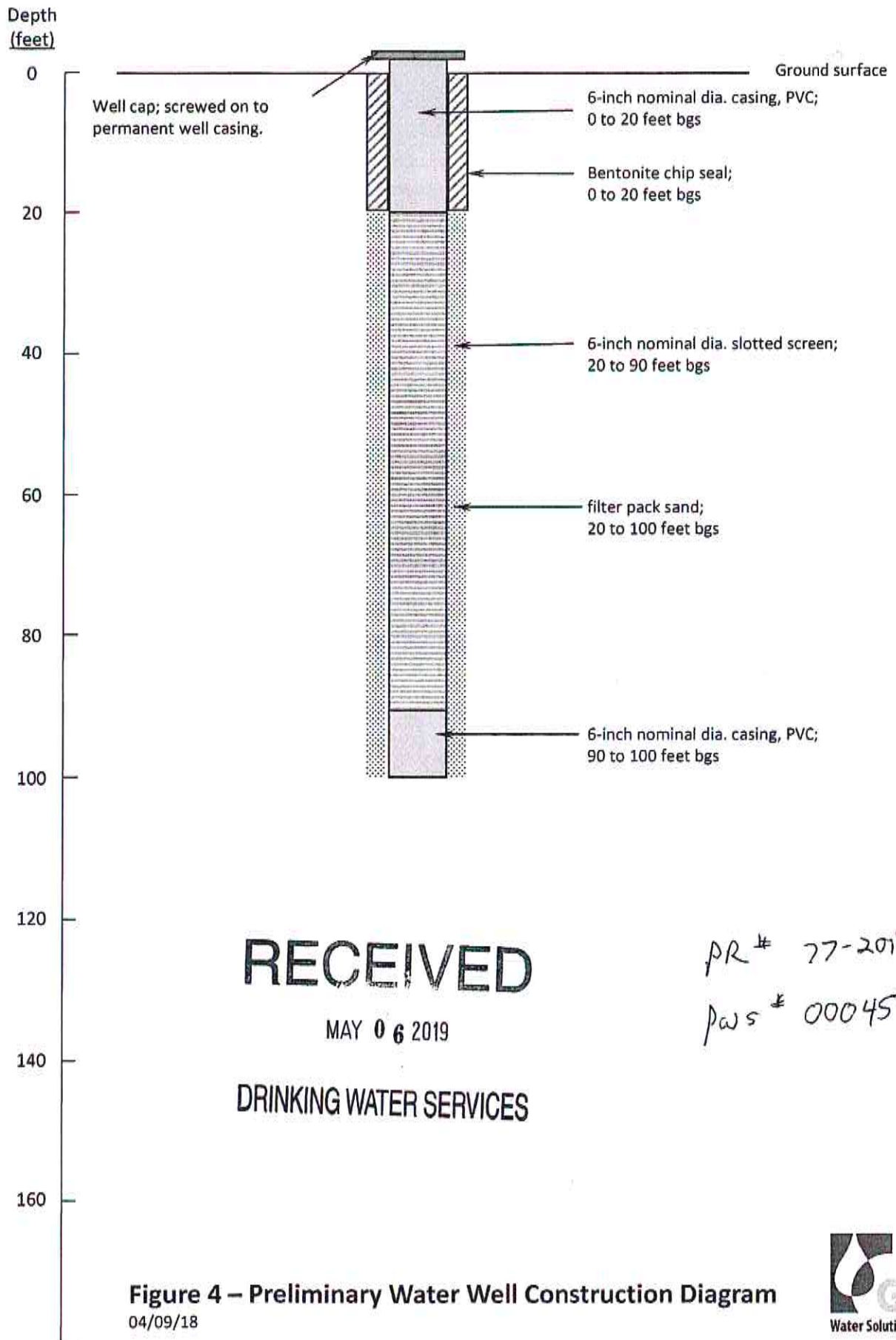


Figure 4 – Preliminary Water Well Construction Diagram

04/09/18