

Warranty Deed, Harvey to U.S.A.

CRGNSA - GIP 444

WARRANTY DEED

WILLIAM HARVEY and EDNA HARVEY, husband and wife, of The Dalles, Oregon Grantors, for and in consideration of Two Hundred, Thirty-Five Thousand and no/100 Dollars (\$235,000.00) paid by Grantee pursuant to the to the Columbia River Gorge National Scenic Area Act of November 17, 1986 (P.L. 99-663, 100 Stat. 4274), the receipt of which is hereby acknowledged, do hereby convey and warrant unto the UNITED STATES OF AMERICA, Grantee, and its assigns, all of the following described real property in the County of Skamania, State of Washington:

Willamette Meridian

T. 3 N., R. 8 E.,

Gary H. Martin, Skamania County Assessor
Date 7/15/03 Parcel # 3-8-36-102

sec. 36, a portion of the S 1/2 NE 1/4 NE 1/4 described as follows:

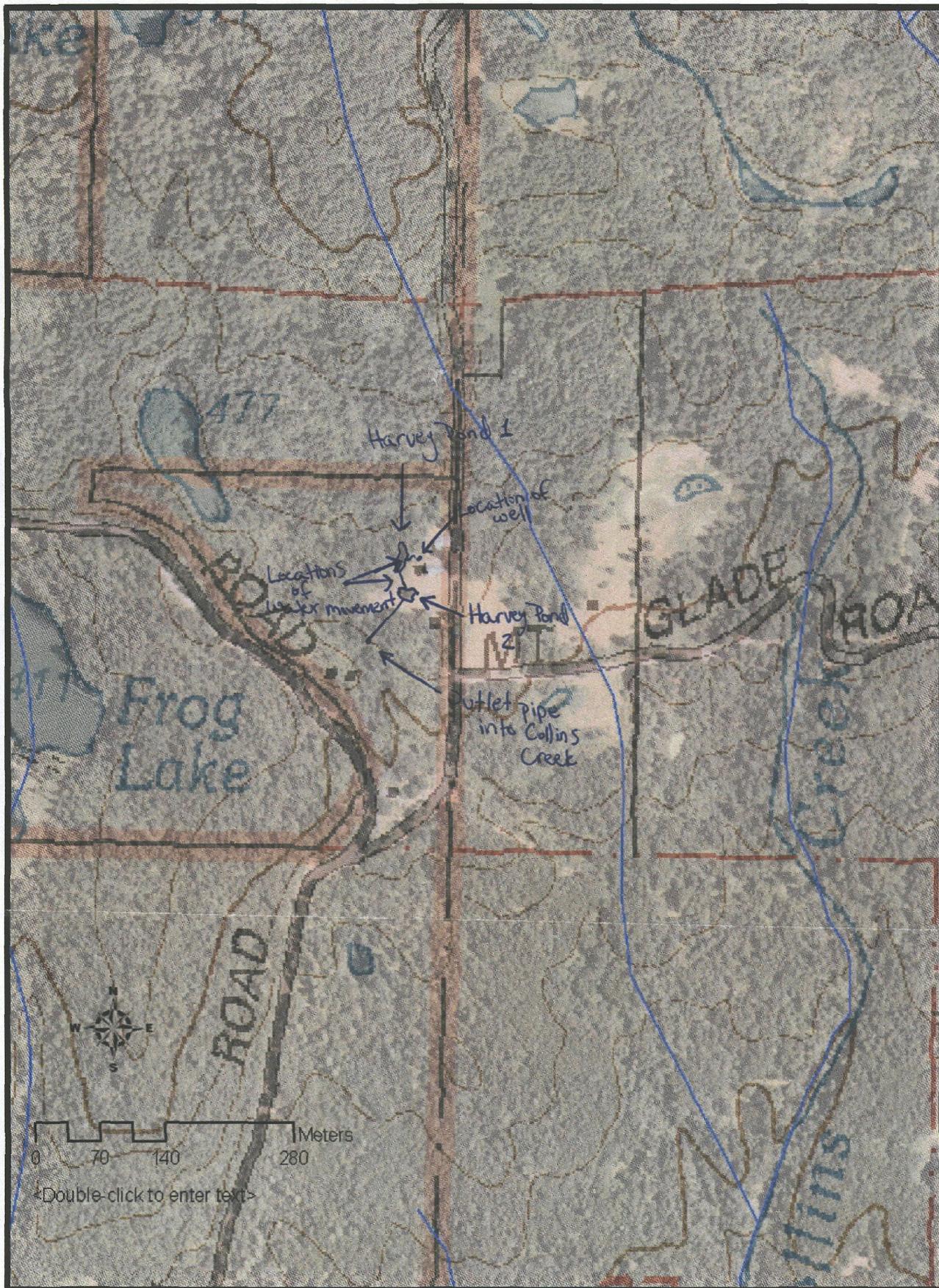
That portion of the South half of the Northeast quarter of the Northeast quarter of Section 36, Township 3 North, Range 8 East of the Willamette Meridian, in the County of Skamania, State of Washington, lying Northerly and Easterly of County Road known and designated as the Bergen County Road No. 30400, now known as Girl Scout Road No. 32430.

The area described contains 17.0 acres, more or less.

SUBJECT TO:

- 1. EASEMENT for ingress, egress and utilities to the centerline of Girl Scout Road as disclosed by an instrument dated June 22, 1962; recorded July 25, 1962 under Recording No. 60271, Book 50, page 255.
2. RESERVATION OF ALL MINERAL RIGHTS contained in deed from the State of Washington, signed May 2, 1918; recorded May 7, 1918 in Book Q, page 487, Skamania County Deed Records.
3. EASEMENT for ingress and egress over and across that certain access road in existence on May 2, 1980, disclosed by instrument dated May 2, 1980; recorded May 6, 1980 under Recording No. 90719, Book 78, page 185, Skamania County Deed Records.
4. EASEMENT in favor of Public Utility District No. 1 of Skamania County for existing electrical transmission lines and appurtenances, signed July 1, 2003; recorded July 15, 2003, under Recording No. 149452, Book 246, page 250.

# Bergen Road groundwater application for pond turtle enhancement





United States  
Department of  
Agriculture

Forest  
Service

Columbia River Gorge  
National Scenic Area

902 Wasco Ave., Suite 200  
Hood River, OR 97031  
541-308-1700  
FAX 541-386-1916

File Code: 2670

Date: July 10, 2008

Department of Ecology  
Cashiering Section  
PO Box 5128  
Lacey, WA 98509-5128

8 JUL 21 AM 8:47  
DEPT. OF ECOLOGY  
FISCAL & BUDGET

Subject: Request for Priority Processing of Competing Applicants

To whom it may concern:

This letter is a request from the United States Forest Service (USFS) and the Washington Department of Fish and Wildlife (WDFW) for priority processing of competing applications under WAC 173-152-050 (2)(b). In it these agencies seek to demonstrate to the Washington Department of Ecology Water Resources Department that the water use in question is indeed non-consumptive due to hydrological continuity with adjacent Collins Creek. In addition, if approved the water use will substantially enhance and protect the quality of the natural environment through the enrichment and development of habitat for the western pond turtle (*Clemmys marmorata*).

Mark Kreiter, hydrologist with the USFS, provided the analysis in determining the likelihood that the aquifer supplying the existing well on the Harvey property is hydrologically connected to Collins Creek. His assessment is based on information gathered from the original 07/18/1996 well log, as well as other physical relationships from maps and field measurements. It is his professional opinion that the well is likely connected to surface water in Collins Creek based on the following three observations: (1) Collins Creek is only 300' away from the well, (2) The static water level immediately after drilling is only 50' deep which suggests a fairly shallow aquifer. It is reasonable to assume that this water could reach some kind of topographic intersection with the adjacent stream channel at some point downstream of this site, and (3) The aquifer is associated with a highly fractured basalt flow that is at least 100' thick. It is reasonable to assume that this fractured basalt and associated aquifer could easily extend out far enough laterally to intersect Collins Creek at some point.

In Washington the western pond turtle is classified under WAC 232-12-014 as an Endangered species. In accordance with WAC 232-12-297, in August 1999 the WDFW completed the Washington State Recovery Plan for the Western Pond Turtle. The goal of the recovery plan is to re-establish self-sustaining populations in areas historically inhabited by the turtles, including the Columbia Gorge. In order to accomplish this, the recovery plan calls for the agency to "identify and manage habitat to maximize western pond turtle survival and productivity" (Section 3 under RECOVERY STRATEGIES AND TASKS). Under this section the agency states that "Extensive shallow water areas...contribute to ideal habitat conditions for western pond turtles". The introduction of running water from the well in question would add this component to the pond/upland grassland habitat matrix already present in the area. The total area occupied by known populations of western pond turtles in Washington totals only about 2.4 km<sup>2</sup> (1.5 mi<sup>2</sup>), indicating even the marginal increase in habitat being requested will provide substantial benefits to the turtles. Along with helping WDFW achieve its goal of delisting the western pond turtle, the increased water flow will develop and enhance wetland habitat, which is in significant decline across the country. Thank you for considering our application.

*Daniel T. Harkenrider*

DANIEL T. HARKENRIDER  
Area Manager



# RECEIPT

Department of Ecology (4610)  
PO Box 47611  
Olympia, WA 98504-7611  
(360) 407-7095

Receipt Number  
Manual Receipt

09CJ001038

Document Number **461P0131CJ** Date **07/22/2008** FM 13

Remitter Name \_\_\_\_\_ Receipt Name \_\_\_\_\_

Check/Draw Number **417**  
US AGRICULTURE DEPT

Document Amount **50.00**

Method of Payment **Check**

Comment Description **WATER RIGHT**

REF DOC NR	REF DOC SFX	INV NR	ID NR	SUB ID NR	T C R	FUND	MAJ GRP	MAG SRC	SUB SRC	CNTY	WORK CLS	PIC	AI	ORG	PRJ	SUB PRJ	PRJ PHS	SUB OBJ	SUB OBJ	VAR GL	SUB DR	SID CR	SUB CR	ALLOC AMT
							001	001	02	85	000011													50.00

*APP Returned  
Signature  
Required*

*SWP*