

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF HILLSBORO
123 WEST MAIN
HILLSBORO, OREGON 97123

confirms the right to use the waters of SAIN CREEK, a tributary of SCOGGINS CREEK, for MUNICIPAL SUPPLY.

This right was perfected under Permit 2443. The date of priority is May 1, 1915. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.0 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source. The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the original point of diversion.

The points of diversion is located as follows:

SAIN CREEK (ORIGINAL POINT OF DIVERSION) - SW 1/4 SW 1/4, SECTION 14, TOWNSHIP 1 SOUTH, RANGE 5 WEST, W.M.; 1130 FEET NORTH FROM THE SW CORNER OF SECTION 14;

SCOGGINS CREEK (NEW POINT OF DIVERSION) - NE 1/4 NE 1/4, AS PROJECTED WITHIN MARTIN DLC 52, SECTION 20, TOWNSHIP 1 SOUTH, RANGE 4 WEST, W.M.; 707 FEET SOUTH AND 441 FEET WEST FROM THE NE CORNER OF SECTION 20; AND

TUALATIN RIVER REDIVERSION - SW 1/4 SW 1/4, SECTION 8, TOWNSHIP 1 SOUTH, RANGE 3 WEST, W.M.; 500 FEET NORTH AND 450 FEET EAST FROM THE SW CORNER OF SECTION 8.

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

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

THE TOWNS OF GASTON, DILLEY, SOUTH FOREST GROVE, CORNELIUS, HILLSBORO, BEAVERTON, AS WELL AS THE TERRITORY BETWEEN SAID TOWNS AND VILLAGES, IN WASHINGTON COUNTY, OREGON

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

Water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

If loss of water is determined by the Watermaster, for example seepage or evaporation, the rate of diversion at the new point of diversion shall be reduced by an amount equal to the losses between the old and new points of diversion, or appropriated under another water right.


The City of Hillsboro shall install and maintain a staff gage, an in-line flow meter, weir, or other suitable device for measuring and/or recording the quantity of water diverted at both the old and new point of diversion. The type and plans of the staff gage, headgate, and/or measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

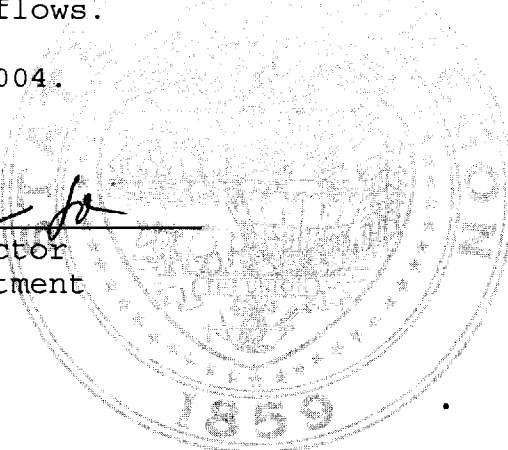
This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 28, 1991, and supersedes Certificate 3930, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

Issued December 16, 2004.


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81027.