

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLEAN WATER SERVICES
16060 SW 85TH AVE
TIGARD OR 97224

confirms the right to the use of water perfected under the terms of Permit S-54475. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-86703

SOURCE OF WATER: TREATED EFFLUENT FROM DURHAM ADVANCED WASTEWATER TREATMENT FACILITY, DISCHARGED TO TUALATIN RIVER

PURPOSE or USE: PUBLIC INSTREAM USE (FLOW AUGMENTATION AND POLLUTION ABATEMENT)

MAXIMUM RATE: 2.8 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: OCTOBER 18, 2006

DISCHARGE LOCATIONS:

84 INCH PIPE: SW ¼ SW ¼, SECTION 13, T2S, R1W, W.M.; 1225 FEET NORTH AND 107 FEET EAST FROM SW CORNER, SECTION 13

66 INCH PIPE: SW ¼ SW ¼, SECTION 13, T2S, R1W, W.M.; 1225 FEET NORTH AND 70 FEET EAST FROM SW CORNER, SECTION 13

THE PLACE OF USE IS LOCATED AS FOLLOWS:

FROM THE DISCHARGE LOCATIONS IN THE TUALATIN RIVER DOWNSTREAM TO THE CONFLUENCE WITH THE WILLAMETTE RIVER LOCATED WITHIN SW ¼, SECTION 2, T3S, R1E, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or suitable measuring device as approved by the Director at the discharge point in good working order, shall keep a complete record of the amount of water

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.

used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The character of water use authorized under this right is for instream, non-consumptive use. As such, any proposed future change in the character of use to an out-of-stream consumptive use is not allowed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued DEC 27 2019.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department