



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us
 Salem Oregon 97301-1271

**Application to Develop
 Hydroelectric Use
 As part of an existing certificated water right**

Please type or print in dark ink. Prior to submitting an application, the Oregon Water Resources Department (OWRD) recommends applicants consult with the Department's Hydroelectric Staff about the proposed project. If an application is found to be incomplete or inaccurate, it will be returned to the applicant. If any requested information does not apply, please insert "n/a."

1. APPLICANT INFORMATION

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Applicants: Attn: Sheila Sahu
First Last

Organization: City of Beaverton

Mailing Address: 12725 SW Millikan Way, Beaverton, OR 97005
City State Zip

Phone: 971-288-8960
Home Work Other

*Fax: _____ *E-mail address: ssahu@beavertonoregon.gov

*Optional Information

2. CONDUIT CONTROL

If the water to be used for the proposed hydroelectric project is delivered by a public entity other than the applicant you must provide a statement from that public entity that it will be able to deliver water as described in this application. -- **Attach the statement. N/A – The City of Beaverton is the applicant and will deliver the water.**

No

STOP. A certificate cannot be issued unless the applicant owns or otherwise controls the water conveyance system.

Hydroelectric Project /1

3. WATER USE

A. Proposed Source and Amount of Water

Provide the certificate number or, if no confirming certificate has been issued, the decree reference, of the existing water right associated with this proposed project:

Water right certificate 85914.

Identify the amount of water you propose to use from each source, for each powerhouse, in cubic feet-per-second (CFS).

(1 cubic foot per second = 448.8 gallons per minute 1 acre-foot = 43,560 cubic feet)

| Source | Amount (AF, CFS, GPM) |
|----------------|----------------------------|
| Tualatin River | Up to 11.1 cfs (5,000 gpm) |
| | |

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C. Power Development

The project will utilize 100 (number of feet) of gross head to develop 126.1 (Amount) theoretical horsepower (THP).

THP is calculated by multiplying the quantity of water to be diverted in cubic feet per second by the vertical head in feet and dividing the product by 8.8). The head is the difference in elevation between the intake of the pipeline and the return discharge to the stream.

D. Location

Identify the following points on a copy of the final proof map for the certificate.

- 1) The point of diversion is in the: SW ¼ of the SW ¼ of Section 8, Township 1 South, Range 3 West, W.M.
- 2) The power plant is to be located within the NE ¼ of the SE ¼ of Section 22, Township 1 North, Range 2 West, W.M.
- 3) After passing through the power plant, the water will be discharged to: the City's distribution system.

Hydroelectric Project /2

4. WATER MANAGEMENT

How will you monitor your diversion to ensure the volume of water use is within the limits of the water right and that no water is being wasted?

Weir

X Meter

Periodic Sampling

Describe measuring devices and the frequency of recording. The City will monitor its use of water for hydroelectric purposes using a flow meter on the pipe leading to the powerhouse. The meter will be connected to the City's SCADA system and will be continuously monitored.

5. FEDERAL ENERGY REGULATORY COMMISSION (FERC) JURISDICTION

Provide a copy of your FERC declaration of intent or exemption application:
<http://www.ferc.gov/industries/hydropower/gen-info/comp-admin/jur-deter.asp>.

If a FERC exemption is not needed, provide a copy of the Lease of Power Privilege if Project is on a U. S. Bureau of Reclamation facility, or similar document if jurisdiction is from any other federal agency.

Note: Oregon Water Resources Department will not issue a certificate for the proposed project until a FERC determination or exemption is issued. If another federal agency has jurisdiction then the appropriate approval document must be submitted before a certificate is issued by OWRD.

6. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

The City's use of up to 11.1 cfs for hydroelectric use, associated with its municipal use, will be limited to the authorized period of use for Certificate 85914 (September 15 through July 31 of each year). However, the City anticipates that the use of water for hydroelectric use will typically be further limited to the period of November 1 through May 31, based on regulation of Certificate 85914 by relative priority date. The City is evaluating the opportunity to generate hydroelectricity outside of this period of use, and a second application for hydroelectric use will be filed if the City decides to move forward with year-round hydroelectric generation.

7. MAP REQUIREMENTS

Attach a copy of the final proof map for this certificate that clearly indicates the township, range, section, and quarter-quarter section of the existing diversion point from the stream and add any proposed diversions from the existing canal or pipeline. Indicate the location of the proposed powerhouse. Also, map existing and proposed canals, pipelines and or penstocks that will be part of the hydroelectric use. See the map guidelines sheet for detailed map specifications. **SEE PAGES 7-9.**

See Exhibits A-1, A-2 and A-3

Hydroelectric Project /3

8. SIGNATURE

By my signature below I confirm that I understand and agree:

- I own the land that the point of diversion, conduit and powerhouse will be located or I have a recorded easement or written authorization permitting access.

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- I will be billed annually based on the theoretical horsepower produced by the hydroelectric project. Failure to pay this invoice by the prescribed date may result in cancellation of the hydroelectric water right certificate.
- Use of water for hydroelectric purposes will not exceed the rate, duty, season and any other limitations of the existing certificated water right.
- Water may be used for hydroelectric use, only if the same water is being used for its original purpose as described in the attached certificate.
- If development of the hydroelectric use is not according to the terms of the certificate, the certificate may be canceled.
- I have provided all the exhibits identified below.

I affirm that all information provided in this application is true and correct to the best of my knowledge.

Shirley Sal

12/06/2021

Signature of applicant

Date

END OF APPLICATION

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Hydroelectric Project /4

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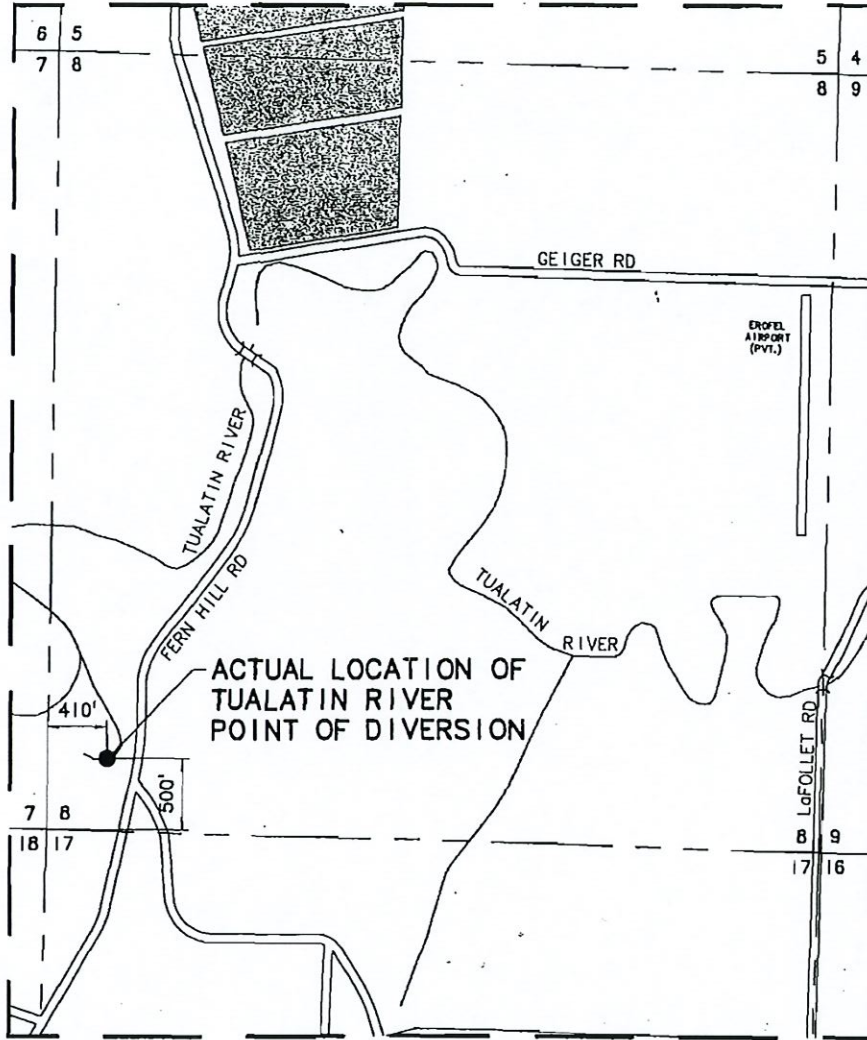
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Exhibit A-1
Map of Point of Diversion
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton

T.1S.,R.3W.,W.M. SECTION 8

POINT OF DIVERSION FOR PERMIT NO. 45455



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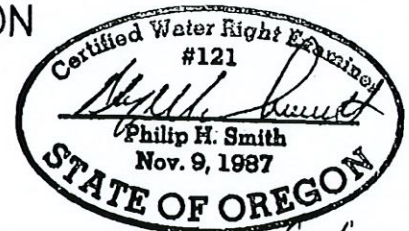


SCALE:
1" = 1320'

FINAL PROOF SURVEY FOR PERFECTION OF
APPLICATION NO. 60357, PERMIT NO. 45455

IN THE NAME OF
THE CITY OF BEAVERTON
WASHINGTON COUNTY

MAY 2002



Expires 6/30/2002

NOTE: This map is for the purpose of identifying the location of the water right only and is not intended to provide legal dimensions or locations of property lines.

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Exhibit A-2

Map of Pipelines

Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton



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TRANSMITTAL

To: Mary Grainey, OWRD
Address: 725 Summer St NE, Suite A
Salem, OR 97301-1266
From: Ronan Igloria, GSI Water Solutions, Inc.
CC: Sheila Sahu, City of Beaverton
Attachments: See below
Date: December 7, 2021

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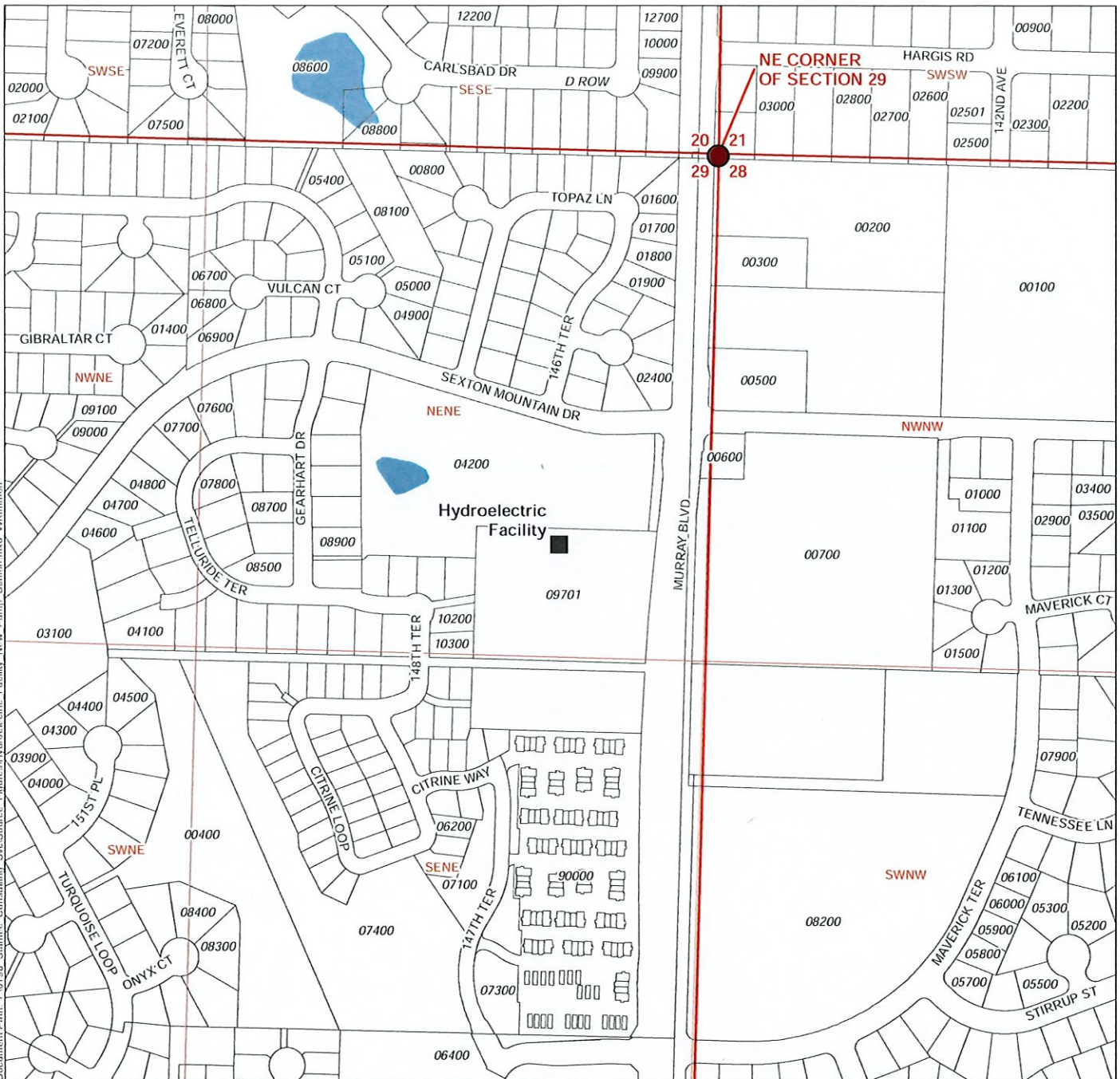
| Date | Number of Copies | Description |
|-----------|------------------|--|
| 12/7/2021 | 1 | City of Beaverton Application to Develop Hydroelectric Use |
| 12/7/2021 | 1 | City of Beaverton check for \$500 |
| | | |
| | | |
| | | |

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Exhibit A-3
Map of Hydroelectric Facility
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton



LEGEND

- Hydroelectric Facility
- Railroad
- Tax Lot
- Major Road
- Government Lot (GL)
- Watercourse
- Donation Land Claim (DLC)
- Waterbody

**Application to Develop Hydroelectric Use
for the City of Beaverton
Map of Hydroelectric Facility
Township 1 South, Range 1 West (W.M.)**

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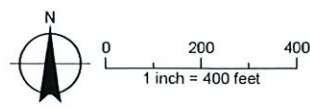
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DISCLAIMER
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: July 14, 2021
Data Sources: BLM, ESRI, OWRD, USGS

LOCATION DESCRIPTION
Hydroelectric Facility
Located 1,025 feet South and 380 feet West from the NE corner of Section 29, Township 1 South, Range 1 West (W.M.)



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Exhibit B
Water Right Certificate 85914
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

CITY OF BEAVERTON
 4755 SW GRIFFITH DR
 PO BOX 4755
 BEAVERTON OR 97076

confirms the right to use the waters of TUALATIN RIVER, a tributary of the Willamette River, for MUNICIPAL USE.

This right was perfected under Permit 45455. The date of priority is JULY 15, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 25.0 CUBIC FEET PER SECOND or its equivalent in case of rotation; measured at the point of diversion.

The diversion of water shall be made only during the period September 15 to July 31 of each year.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|-----|-----|-----|-------|--|
| 1 S | 3 W | WM | 8 | SW SW | 500 FEET NORTH & 410 FEET EAST FROM SW CORNER, SECTION 8 |

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

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

| Twp | Rng | Mer | Sec | Q-Q |
|-----|-----|-----|-----|-------|
| 1 S | 1 W | WM | 5 | SW SE |
| 1 S | 1 W | WM | 5 | SE SE |
| 1 S | 1 W | WM | 8 | NE NE |
| 1 S | 1 W | WM | 8 | NW NE |
| 1 S | 1 W | WM | 8 | SW NE |
| 1 S | 1 W | WM | 8 | SE NE |
| 1 S | 1 W | WM | 8 | NE NW |
| 1 S | 1 W | WM | 8 | SE NW |
| 1 S | 1 W | WM | 8 | NE SW |
| 1 S | 1 W | WM | 8 | SE SW |
| 1 S | 1 W | WM | 8 | NE SE |

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.

| Twp | Rng | Mer | Sec | Q-Q |
|-----|-----|-----|-----|-------|
| 1 S | 1 W | WM | 8 | NW SE |
| 1 S | 1 W | WM | 8 | SW SE |
| 1 S | 1 W | WM | 8 | SE SE |
| 1 S | 1 W | WM | 9 | NE NE |
| 1 S | 1 W | WM | 9 | SW NE |
| 1 S | 1 W | WM | 9 | SE NE |
| 1 S | 1 W | WM | 9 | SW SW |
| 1 S | 1 W | WM | 9 | SE SW |
| 1 S | 1 W | WM | 9 | NE SE |
| 1 S | 1 W | WM | 9 | NW SE |
| 1 S | 1 W | WM | 9 | SW SE |
| 1 S | 1 W | WM | 9 | SE SE |
| 1 S | 1 W | WM | 10 | NW NW |
| 1 S | 1 W | WM | 10 | SW NW |
| 1 S | 1 W | WM | 10 | NE SW |
| 1 S | 1 W | WM | 10 | NW SW |
| 1 S | 1 W | WM | 10 | SW SW |
| 1 S | 1 W | WM | 10 | SE SW |
| 1 S | 1 W | WM | 10 | NW SE |
| 1 S | 1 W | WM | 14 | SW NE |
| 1 S | 1 W | WM | 14 | NE NW |
| 1 S | 1 W | WM | 14 | SW NW |
| 1 S | 1 W | WM | 14 | SE NW |
| 1 S | 1 W | WM | 14 | NE SW |
| 1 S | 1 W | WM | 14 | NW SW |
| 1 S | 1 W | WM | 14 | SW SW |
| 1 S | 1 W | WM | 14 | SE SW |
| 1 S | 1 W | WM | 14 | NW SE |
| 1 S | 1 W | WM | 14 | SW SE |
| 1 S | 1 W | WM | 15 | NW NE |
| 1 S | 1 W | WM | 15 | SW NE |
| 1 S | 1 W | WM | 15 | SE NE |
| 1 S | 1 W | WM | 15 | NE NW |
| 1 S | 1 W | WM | 15 | NW NW |
| 1 S | 1 W | WM | 15 | SW NW |
| 1 S | 1 W | WM | 15 | SE NW |
| 1 S | 1 W | WM | 15 | NE SW |
| 1 S | 1 W | WM | 15 | NW SW |
| 1 S | 1 W | WM | 15 | SW SW |

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| Twp | Rng | Mer | Sec | Q-Q |
|-----|-----|-----|-----|-------|
| 1 S | 1 W | WM | 15 | SE SW |
| 1 S | 1 W | WM | 15 | NE SE |
| 1 S | 1 W | WM | 15 | NW SE |
| 1 S | 1 W | WM | 15 | SW SE |
| 1 S | 1 W | WM | 15 | SE SE |
| 1 S | 1 W | WM | 16 | NE NE |
| 1 S | 1 W | WM | 16 | NW NE |
| 1 S | 1 W | WM | 16 | SW NE |
| 1 S | 1 W | WM | 16 | SE NE |
| 1 S | 1 W | WM | 16 | NE NW |
| 1 S | 1 W | WM | 16 | NW NW |
| 1 S | 1 W | WM | 16 | SW NW |
| 1 S | 1 W | WM | 16 | SE NW |
| 1 S | 1 W | WM | 16 | NE SW |
| 1 S | 1 W | WM | 16 | NW SW |
| 1 S | 1 W | WM | 16 | SW SW |
| 1 S | 1 W | WM | 16 | SE SW |
| 1 S | 1 W | WM | 16 | NE SE |
| 1 S | 1 W | WM | 16 | NW SE |
| 1 S | 1 W | WM | 16 | SW SE |
| 1 S | 1 W | WM | 16 | SE SE |
| 1 S | 1 W | WM | 17 | NE NE |
| 1 S | 1 W | WM | 17 | NW NE |
| 1 S | 1 W | WM | 17 | SE NE |
| 1 S | 1 W | WM | 17 | NE NW |
| 1 S | 1 W | WM | 17 | NE SE |
| 1 S | 1 W | WM | 17 | SW SE |
| 1 S | 1 W | WM | 17 | SE SE |
| 1 S | 1 W | WM | 20 | NE NE |
| 1 S | 1 W | WM | 20 | SW NE |
| 1 S | 1 W | WM | 20 | SE NE |
| 1 S | 1 W | WM | 20 | NE SE |
| 1 S | 1 W | WM | 20 | SW SE |
| 1 S | 1 W | WM | 20 | SE SE |
| 1 S | 1 W | WM | 21 | NE NE |
| 1 S | 1 W | WM | 21 | NW NE |
| 1 S | 1 W | WM | 21 | SW NE |
| 1 S | 1 W | WM | 21 | SE NE |
| 1 S | 1 W | WM | 21 | NE NW |
| 1 S | 1 W | WM | 21 | NW NW |
| 1 S | 1 W | WM | 21 | SW NW |
| 1 S | 1 W | WM | 21 | SE NW |
| 1 S | 1 W | WM | 21 | NE SW |
| 1 S | 1 W | WM | 21 | NW SW |
| 1 S | 1 W | WM | 21 | SW SW |
| 1 S | 1 W | WM | 21 | SE SW |
| 1 S | 1 W | WM | 21 | NE SE |

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| Twp | Rng | Mer | Sec | Q-Q |
|-----|-----|-----|-----|-------|
| 1 S | 1 W | WM | 21 | NW SE |
| 1 S | 1 W | WM | 21 | SW SE |
| 1 S | 1 W | WM | 21 | SE SE |
| 1 S | 1 W | WM | 22 | NE NE |
| 1 S | 1 W | WM | 22 | NW NE |
| 1 S | 1 W | WM | 22 | SW NE |
| 1 S | 1 W | WM | 22 | SE NE |
| 1 S | 1 W | WM | 22 | NE NW |
| 1 S | 1 W | WM | 22 | NW NW |
| 1 S | 1 W | WM | 22 | SW NW |
| 1 S | 1 W | WM | 22 | SE NW |
| 1 S | 1 W | WM | 22 | NE SW |
| 1 S | 1 W | WM | 22 | NW SW |
| 1 S | 1 W | WM | 22 | SW SW |
| 1 S | 1 W | WM | 22 | SE SW |
| 1 S | 1 W | WM | 22 | NE SE |
| 1 S | 1 W | WM | 22 | NW SE |
| 1 S | 1 W | WM | 22 | SW SE |
| 1 S | 1 W | WM | 22 | SE SE |
| 1 S | 1 W | WM | 23 | NW NE |
| 1 S | 1 W | WM | 23 | SW NE |
| 1 S | 1 W | WM | 23 | NE NW |
| 1 S | 1 W | WM | 23 | NW NW |
| 1 S | 1 W | WM | 23 | SW NW |
| 1 S | 1 W | WM | 23 | SE NW |
| 1 S | 1 W | WM | 23 | NW SW |
| 1 S | 1 W | WM | 27 | NE NE |
| 1 S | 1 W | WM | 27 | NW NE |
| 1 S | 1 W | WM | 27 | SW NE |
| 1 S | 1 W | WM | 27 | SE NE |
| 1 S | 1 W | WM | 27 | NE NW |
| 1 S | 1 W | WM | 27 | NW NW |
| 1 S | 1 W | WM | 27 | SW NW |
| 1 S | 1 W | WM | 27 | SE NW |
| 1 S | 1 W | WM | 27 | NE SW |
| 1 S | 1 W | WM | 27 | NW SW |
| 1 S | 1 W | WM | 27 | SW SW |
| 1 S | 1 W | WM | 27 | SE SW |
| 1 S | 1 W | WM | 27 | NE SE |
| 1 S | 1 W | WM | 27 | NW SE |
| 1 S | 1 W | WM | 27 | SW SE |
| 1 S | 1 W | WM | 27 | SE SE |
| 1 S | 1 W | WM | 28 | NE NE |
| 1 S | 1 W | WM | 28 | NW NE |
| 1 S | 1 W | WM | 28 | SW NE |
| 1 S | 1 W | WM | 28 | SE NE |
| 1 S | 1 W | WM | 28 | NE NW |
| 1 S | 1 W | WM | 28 | NW NW |
| 1 S | 1 W | WM | 28 | SW NW |

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| Twp | Rng | Mer | Sec | Q-Q |
|-----|-----|-----|-----|-------|
| 1 S | 1 W | WM | 28 | SE NW |
| 1 S | 1 W | WM | 28 | NE SW |
| 1 S | 1 W | WM | 28 | NW SW |
| 1 S | 1 W | WM | 28 | SW SW |
| 1 S | 1 W | WM | 28 | SE SW |
| 1 S | 1 W | WM | 28 | NE SE |
| 1 S | 1 W | WM | 28 | NW SE |
| 1 S | 1 W | WM | 28 | SW SE |
| 1 S | 1 W | WM | 28 | SE SE |
| 1 S | 1 W | WM | 29 | NE NE |
| 1 S | 1 W | WM | 29 | NW NE |
| 1 S | 1 W | WM | 29 | SW NE |
| 1 S | 1 W | WM | 29 | SE NE |
| 1 S | 1 W | WM | 29 | NE SE |
| 1 S | 1 W | WM | 29 | NW SE |
| 1 S | 1 W | WM | 29 | SE SE |
| 1 S | 1 W | WM | 32 | NE NE |
| 1 S | 1 W | WM | 32 | NW NE |
| 1 S | 1 W | WM | 32 | SW NE |
| 1 S | 1 W | WM | 32 | SE NE |
| 1 S | 1 W | WM | 32 | NE NW |
| 1 S | 1 W | WM | 32 | NW NW |
| 1 S | 1 W | WM | 32 | SW NW |
| 1 S | 1 W | WM | 32 | SE NW |
| 1 S | 1 W | WM | 32 | NE SW |
| 1 S | 1 W | WM | 32 | NW SW |
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| 1 S | 1 W | WM | 33 | NE NE |
| 1 S | 1 W | WM | 33 | NW NE |
| 1 S | 1 W | WM | 33 | SW NE |
| 1 S | 1 W | WM | 33 | SE NE |
| 1 S | 1 W | WM | 33 | NE NW |
| 1 S | 1 W | WM | 33 | NW NW |
| 1 S | 1 W | WM | 33 | SW NW |
| 1 S | 1 W | WM | 33 | SE NW |
| 1 S | 1 W | WM | 33 | NE SW |
| 1 S | 1 W | WM | 33 | NW SW |
| 1 S | 1 W | WM | 34 | NE NE |
| 1 S | 1 W | WM | 34 | NW NE |
| 1 S | 1 W | WM | 34 | NE NW |
| 1 S | 1 W | WM | 34 | NW NW |
| 1 S | 1 W | WM | 34 | SW NW |

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

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 NOV 17 2009


Phillip C. Ward, Director
Water Resources Department

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Exhibit C
Description of Project from Diversion to Discharge
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton

Exhibit C

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Description of the Proposed Project

Water will be diverted from the Tualatin River at the Joint Water Commission's Spring Hill Pumping Plant. The City of Beaverton (City) is one of the members of the Joint Water Commission (JWC). The diverted water will be treated at the JWC water treatment plant and pumped to the two 20-million-gallon (MG) Fernhill Reservoirs. Water from the Fernhill Reservoirs is then delivered to the City through the 48-inch diameter JWC South Transmission Line (STL), which conveys water for approximately 13.9 miles, until it transitions to the City's 30-inch which fills the City's 15 MG and 5 MG Sexton Mountain Reservoirs.

The hydropower project will be installed at the Sexton Mountain Pump Station located on the same parcel as the 15 MG Sexton Mountain Reservoir. Beginning in 2023, when the project is expected to be constructed, the average monthly water flowrate through the Sexton Mountain site will be 12.6 cfs. With new aquifer storage and recovery (ASR) wells and expanded water distribution for new development, the site could see an average monthly flowrate up to 26.2 cfs by year 2040. The hydropower turbine will use up to 11.1 cfs of this increasing flowrate and, at the time of install in 2023, space will be left available for an additional future turbine. If the City decides to add another turbine in the future, another hydroelectric water right application would be filed.

After flowing through the hydropower project, the water will be returned to the City's transmission system for distribution to its residential and commercial customers. The resulting wastewater after the water is used by City customers enters the sanitary sewer system, which is managed by Clean Water Services (CWS). CWS treats the wastewater and returns it to the Tualatin River.

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Exhibit D
Agreement with ODFW regarding fish screening / bypass
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

North Willamette Watershed District

17330 SE Evelyn Street

Clackamas, OR 97015-9514

(971) 673-6000

(971) 673-6070

odfw.com

September 15, 2021

Sheila Sahu
City of Beaverton
12715 SW Millikan Way
Beaverton, Oregon 97005

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Subject: City of Beaverton Sexton Mountain Pump Station In-Conduit Hydropower Facility

Dear Ms. Sahu:

In April of 2021 GSI Water Solutions, Inc. (GSI) contacted the Oregon Department of Fish and Wildlife (ODFW) by email that the City of Beaverton (City) was looking into a potential new in-conduit hydroelectric project and had a few questions regarding fish passage. This was followed by GSI scheduling a Teams call with ODFW to discuss the project and to go over any fish passage requirements. On August 26, 2021 GSI emailed ODFW a draft of the application and exhibits for review and asked for a letter from ODFW describing ODFW's requirements for fish screening, bypass devices and fish passage to include in the Final Application. Our review of the application and exhibits has produced the following response found in this letter.

Project Description

Water for the in-conduit hydroelectric project will be diverted from the Tualatin River at the Joint Water Commission's Spring Hill Pumping Intake Plant. The City of Beaverton (City) is one of the members of the Joint Water Commission (JWC). The diverted water is treated at the JWC water treatment plant and pumped to the two 20-million-gallon (MG) Fernhill Reservoirs. Water from the Fernhill Reservoirs is delivered to the City through the 48-inch diameter JWC South Transmission Line, that conveys water for approximately 13.9 miles, until it transitions to the City's 30-inch line that fills the City's 15 MG and 5 MG Sexton Mountain Reservoirs.

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The hydropower project will be installed at the Sexton Mountain Pump Station located on the same parcel as the 15 MG Sexton Mountain Reservoir. Beginning in 2023, when the project is expected to be constructed, the average monthly water flowrate through the Sexton Mountain site will be 12.6 cfs. The hydropower turbine will use up to 11.6 cfs of this flowrate for hydroelectric use. The use of water certificate 85914 for the hydroelectric project will limit generation to the period of November 1 through May 1. This is based on the regulation of Certificate 85914 by relative priority date. The project is expected to generate approximately 131.8 theoretical horsepower. Energy generated at the hydropower facility would be used to offset electrical power operations at the City's 15MG Sexton Mountain Reservoir facility. After flowing through the hydropower project, the water will be returned to the City's transmission system for distribution to its residential and commercial customers.

Statutory Requirements

ODFW understands that the City will be applying to the Oregon Water Resource Department under Oregon Revised Statute (ORS) 543.765 for a certificate to use water for hydroelectric purposes within its municipal water distribution line. Under ORS 543.765(5)(a) a certificate issued under this section must contain the following conditions: fish screens, bypass devices and fish passage as required by the State Department of Fish and Wildlife.

Fish Screens and/or Bypass Devices

Water diverted to operate the facility will be delivered through the JWC Spring Hill Pumping Intake Plant. The JWC fish screen, water treatment plant, and existing municipal water distribution line excludes the entry of fish into the conduit where the proposed turbine will be located. Because fish do not have access to and are not found within the existing municipal water distribution system under current conditions and will not have access after the hydropower facility is installed, ODFW does not find a nexus between fish entrainment and operation of the hydropower facility. Therefore, ODFW will not require fish screens or bypass devices under ORS 543.765(5)(a) in this proceeding.

Fish Passage

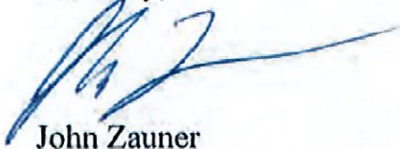
Authorization of the project constitutes a fundamental change in permit status per ORS 509.585 that invokes Oregon Fish Passage Policy. The JWC Spring Hill Pumping Intake Plant relies on a water source diverted by an artificial obstruction (ORS 509.580(1)). ODFW has concluded that this small elevation rock weir is a partial barrier to native migratory fish migration, from early summer to early fall, when flows drop. To address the requirements under ORS 543.765(5)(a) the city can choose to (1) pay an annual fee to the

Oregon Water Resources Department (2) provide full fish passage at the rock weir or (3) apply for a fish passage waiver or exemption from the Oregon Fish and Wildlife Commission. The annual fee would be set forth in the water right or established by order of the Oregon Water Resource Director and adjusted annually for inflation according to the rules established by the Oregon Water Resources Department.

Please feel free to contact me at 971-673-6041 if you have any questions about the fee, how to provide fish passage, or the fish passage waiver or exemption process.

Thank you for the opportunity for review.

Sincerely,



John Zauner
NW Hydropower Coordinator

Cc (via electronic email)
Kregg Smith

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Exhibit E
Evidence of Water Use
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton

Water Use Report Based on Water Right



Cert:85914 OR *

CITY OF BEAVERTON PO BOX 4755 4755 SW GRIFFITH DR BEAVERTON, OR 97076

Records per page: 10 [View All](#)

Acre-feet (AF) of Water Used

| Water Year* | Report ID | Facility | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Total Water Used | Irrigated Acres |
|-------------|-----------------------|--------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|------------------|-----------------|
| 2020 | 11569 | SPRING HILL INTAKE | 2564.34 | 2228.54 | 2550.13 | 2574.34 | 2294.71 | 2620.38 | 2538.87 | 2477.80 | 3351.39 | 4457.36 | 4952.95 | 3961.49 | 36572.29 | |
| 2019 | 11569 | SPRING HILL INTAKE | 3074.45 | 2314.84 | 2351.57 | 2557.37 | 2258.95 | 2710.63 | 2633.45 | 3383.92 | 4195.52 | 4451.65 | 4629.92 | 3481.17 | 38043.46 | |
| 2018 | 11569 | SPRING HILL INTAKE | 2422.25 | 2053.37 | 1754.37 | 1842.14 | 1920.48 | 1999.14 | 2115.70 | 3290.35 | 4072.64 | 5368.36 | 5114.56 | 3677.06 | 35630.41 | |
| 2017 | 11569 | SPRING HILL INTAKE | 2416.76 | 2345.25 | 2301.37 | 2519.26 | 2138.10 | 2439.77 | 2262.08 | 2736.54 | 3398.19 | 4497.16 | 4845.48 | 3544.58 | 35444.53 | |
| 2016 | 11569 | SPRING HILL INTAKE | 2531.84 | 2384.53 | 2203.47 | 2224.95 | 2495.01 | 2464.32 | 2633.11 | 3283.72 | 3817.71 | 3753.26 | 5026.85 | 3412.61 | 36231.39 | |
| 2015 | 11569 | SPRING HILL INTAKE | 2752.80 | 2154.37 | 3099.59 | 2703.70 | 2188.12 | 2301.67 | 2620.84 | 3102.65 | 4465.24 | 5168.02 | 4879.55 | 3409.54 | 38846.09 | |
| 2014 | 11569 | SPRING HILL INTAKE | 2620.84 | 2350.77 | 2258.71 | 2267.91 | 2181.99 | 2341.57 | 2304.74 | 2584.01 | 3403.41 | 4155.29 | 4115.39 | 3998.77 | 34583.40 | |
| 2013 | 11569 | SPRING HILL INTAKE | 2648.46 | 1908.85 | 2114.47 | 2295.53 | 2028.54 | 2013.20 | 1872.03 | 2906.25 | 2639.25 | 3931.26 | 4225.87 | 2571.74 | 31155.44 | |
| 2012 | 11569 | SPRING HILL INTAKE | 2228.02 | 1970.23 | 1924.20 | 1967.16 | 1752.34 | 2258.71 | 2203.47 | 2715.97 | 2461.26 | 3431.03 | 4124.60 | 3774.74 | 30811.72 | |
| 2010 | 11569 | SPRING HILL INTAKE | 5498.00 | 2012.00 | 2247.00 | 2533.00 | 2268.00 | 2441.00 | 2118.00 | 2141.00 | 2112.00 | 3882.00 | 4086.00 | 2732.00 | 34070.00 | |

1 2 3

*The water year is named for the calendar year in which it ends. Example: the 2018 water year begins Oct. 1, 2017 and ends Sep. 30, 2018.

- The Water Resources Department makes reasonable efforts to screen the data for quality control; however, the Department cannot accept responsibility for errors, omissions, or accuracy of the information. Notification of any errors is appreciated. Send notifications to wateruse@wrdd.state.or.us or call 971-345-7489.
- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

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Not applicable – the applicant will deliver the water for the proposed hydroelectric project

Exhibit F
Delivery of Water by Public Entity
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton

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Exhibit G
Land Use Information Form
Application to Develop Hydroelectric Use as part of Existing Certificate –
City of Beaverton

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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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 ground water 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 503-986-0801.

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant(s): City of Beaverton, Attention: Sheila Sahu

Mailing Address: 12725 SW Millikan Way

City: Beaverton State: OR Zip Code: 97005 Daytime Phone: 971-288-8960

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.

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | Proposed Land Use: |
|----------------|---------------|-----------|--------------|-------------|---|--|----------------------|
| <u>1 South</u> | <u>1 West</u> | <u>29</u> | <u>NE NE</u> | <u>9701</u> | | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | <u>hydroelectric</u> |

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

City of Beaverton

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 Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) Tualatin River

Estimated quantity of water needed: 11.6 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 Hydropower

Briefly describe:

The City of Beaverton is seeking a water right to authorize the generation of hydroelectric power as part of its existing use of surface water under its certificated water right for municipal purposes.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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For Local Government Use Only

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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.

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):
- 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: | |
|---|--|--|---|
| Conditional Use | 40.15.15.5.C.1-8 | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input checked="" type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| Design Review (Type 2) | 40.20.15.3.C.1-9 | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input checked="" type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> 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.

Name: Jana Fox Title: Current Planning Manager

Signature: Jana Fox  Phone: 503.523.8530 Date: 9/21/2021

Government Entity: City of Beaverton

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.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____