

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION
AND AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.705, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 9234 submitted by

CITY OF TIGARD
ASSISTANT PUBLIC WORKS DIRECTOR
13125 SW HALL BOULEVARD
TIGARD, OREGON 97223.

The right to be modified, as evidenced by Certificate 46639, was perfected under Permit G-3270 with a date of priority of APRIL 25, 1966. The right allows the use of A WELL, in the FANNO CREEK BASIN, for MUNICIPAL USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.67 cubic foot per second, if available at the original well; LOT 2(SW¼ NW¼), SECTION 11, T 2 S, R 1 W, W.M.; 1625 FEET SOUTH AND 30 FEET EAST FROM THE NW CORNER OF SECTION 11, or its equivalent in case of rotation, measured at the well.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The authorized place of use is as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 33

S $\frac{1}{2}$
SECTION 34

SW $\frac{1}{4}$
S $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 35

TOWNSHIP 1 SOUTH, RANGE 1 WEST, W.M.

NW $\frac{1}{4}$
W $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 1

ALL
SECTION 2

All
SECTION 3

NE $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$
S $\frac{1}{2}$ NW $\frac{1}{4}$
S $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 4

S $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 5

NE $\frac{1}{4}$
N $\frac{1}{2}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 8

N $\frac{1}{2}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 9

ALL
SECTION 10

ALL
SECTION 11

SW $\frac{1}{4}$ NE $\frac{1}{4}$
W $\frac{1}{2}$
SECTION 12

N $\frac{1}{2}$ NW $\frac{1}{4}$
SECTION 13

N $\frac{1}{2}$ NE $\frac{1}{4}$
SECTION 14

NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 15

NE $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 16

TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.

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

The applicant proposes to change the point of appropriation to:

LOT 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 11, T 2 S, R 1 W, W.M.;
SOUTH 00° 44' 37" WEST 1639 FEET FROM THE NW $\frac{1}{4}$ CORNER OF
SECTION 11.

The applicant proposes an additional point of appropriation
located:

LOT 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 11, T 2 S, R 1 W, W.M.;
SOUTH 03° 13' 22" EAST 1561 FEET FROM THE NW $\frac{1}{4}$ CORNER OF
SECTION 11.

THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE
FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before
October 1, 2008.
2. The quantity of water diverted at the new point of
appropriation (well), together with the quantity diverted at
the old point of appropriation, shall not exceed the
quantity of water lawfully authorized under the right.
3. The water user shall install in-line flow meters or other
suitable devices for measuring and recording the quantity of
water used. The type and plans of the measuring devices
must be approved by the Department prior to beginning
construction and shall be installed under the general
supervision of the Department.
4. Water shall be acquired from the same aquifer as the
original point of appropriation.

Certificate 46639 is cancelled. When satisfactory proof of the
completed change is received, a new certificate confirming this
water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed MAR 04 2003.


Paul R. Cleary, Director