



and in the Tigard-Tualatin Times on August 8 and 20, 2015, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The first right to be transferred is as follows:

**Certificate:** 85870 in the name of CITY OF TIGARD (perfected under Permit G-3270)  
**Use:** MUNICIPAL USES  
**Priority Date:** APRIL 25, 1966  
**Rate:** 0.67 cubic foot per second, if available at the original points of appropriation, or its equivalent in case of rotation, measured at the wells.  
**Source:** THREE WELLS within the FANNO CREEK BASIN

**Original Point of Appropriation:**

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Well 1	2 S	1 W	WM	10	SW NW	SOUTH 44° 37" WEST 1639 FEET FROM THE NW CORNER OF SECTION 10
ASR 1	2 S	1 W	WM	10	SW NW	SOUTH 3° 13' 22" EAST 1561 FEET FROM THE NW CORNER OF SECTION 11

**Authorized Points of Appropriation:**

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Well 2	2 S	1 W	WM	10	NW NW	610 FEET SOUTH AND 1270 FEET EAST FROM THE NW CORNER OF SECTION 10
ASR 2	2 S	1 W	WM	10	SW NW	1750 FEET SOUTH AND 30 FEET EAST FROM THE NW CORNER OF SECTION 10
ASR 1	2 S	1 W	WM	11	SW NW	SOUTH 3° 13' 22" EAST 1561 FEET FROM THE NW CORNER OF SECTION 11

7. The second right to be transferred is as follows:

**Certificate:** 85871 in the name of CITY OF TIGARD (perfected under Permit G-2999)  
**Use:** MUNICIPAL USES  
**Priority Date:** NOVEMBER 19, 1965  
**Rate:** 0.63 cubic foot per second, if available at the original point of appropriation, or its equivalent in case of rotation, measured at the well.  
**Source:** THREE WELLS within the FANNO CREEK BASIN

**Original Point of Appropriation:**

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Well 4	2 S	1 W	WM	10	NW SW	25 FEET SOUTH AND 500 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 10

**Authorized Points of Appropriation:**

Wells	Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
Well 2	2 S	1 W	WM	10	NW NW		610 FEET SOUTH AND 1270 FEET EAST FROM THE NW CORNER OF SECTION 10
ASR 2	2 S	1 W	WM	10	SW NW		1750 FEET SOUTH AND 30 FEET EAST FROM THE NW CORNER OF SECTION 10
ASR 1	2 S	1 W	WM	11	SW NW	2	SOUTH 3° 13' 22" EAST 1561 FEET FROM THE NW CORNER OF SECTION 11

8. The third right to be transferred is as follows:

**Certificate:** 85872 in the name of CITY OF TIGARD (perfected under Permit G-655)  
**Use:** MUNICIPAL USES  
**Priority Date:** SEPTEMBER 16, 1957  
**Rate:** 0.78 cubic foot per second, if available at the original points of appropriation, or its equivalent in case of rotation, measured at the wells.  
**Source:** THREE WELLS within the FANNO CREEK BASIN

**Original Point of Appropriation:**

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Well 3	2 S	1 W	WM	4	SW NE	25 FEET SOUTH AND 50 FEET EAST FROM THE CENTER 1/4 CORNER OF SECTION 4

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
2 S	1 W	WM	10	NW NW		610 FEET SOUTH AND 1270 FEET EAST FROM NW CORNER, SECTION 10
2 S	1 W	WM	10	SW NW		1750 FEET SOUTH AND 30 FEET EAST FROM NW CORNER, SECTION 10
2 S	1 W	WM	11	SW NW	2	SOUTH 3° 13' 22" EAST 1561 FEET FROM THE NW CORNER OF SECTION 11

9. Certificates 85870, 85871, and 85872 have the same authorized place of use, as follows:

MUNICIPAL				
Twp	Rng	Mer	Sec	Q-Q
1 S	1 W	WM	27	SE SE
1 S	1 W	WM	33	NE NE
1 S	1 W	WM	33	SW NE
1 S	1 W	WM	33	SE NE
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	33	SW SW
1 S	1 W	WM	33	SE SW
1 S	1 W	WM	33	NE SE
1 S	1 W	WM	33	NW SE
1 S	1 W	WM	33	SW SE
1 S	1 W	WM	33	SE SE
1 S	1 W	WM	34	ALL
1 S	1 W	WM	35	NW NW
1 S	1 W	WM	35	SW NW
1 S	1 W	WM	35	NE SW
1 S	1 W	WM	35	NW SW
1 S	1 W	WM	35	SW SW
1 S	1 W	WM	35	SE SW
1 S	1 W	WM	35	NW SE

MUNICIPAL				
Twp	Rng	Mer	Sec	Q-Q
1 S	1 W	WM	35	SW SE
1 S	1 W	WM	35	SE SE
1 S	1 W	WM	36	SW SW
2 S	1 W	WM	1	NE NW
2 S	1 W	WM	1	NW NW
2 S	1 W	WM	1	SW NW
2 S	1 W	WM	1	SE NW
2 S	1 W	WM	1	NE SW
2 S	1 W	WM	1	NW SW
2 S	1 W	WM	1	SE SW
2 S	1 W	WM	2	ALL
2 S	1 W	WM	3	ALL
2 S	1 W	WM	4	ALL
2 S	1 W	WM	5	NE NE
2 S	1 W	WM	5	SW NE
2 S	1 W	WM	5	SE NE
2 S	1 W	WM	5	SW NW
2 S	1 W	WM	5	SE NW
2 S	1 W	WM	5	NE SW
2 S	1 W	WM	5	NW SW

MUNICIPAL				
Twp	Rng	Mer	Sec	Q-Q
2 S	1 W	WM	5	SW SW
2 S	1 W	WM	5	SE SW
2 S	1 W	WM	5	NE SE
2 S	1 W	WM	5	NW SE
2 S	1 W	WM	5	SW SE
2 S	1 W	WM	5	SE SE
2 S	1 W	WM	6	SE NE
2 S	1 W	WM	6	NE SE
2 S	1 W	WM	6	SE SE
2 S	1 W	WM	7	NE NE
2 S	1 W	WM	7	SE NE
2 S	1 W	WM	7	NE SE
2 S	1 W	WM	8	NE NE
2 S	1 W	WM	8	NW NE
2 S	1 W	WM	8	SW NE
2 S	1 W	WM	8	SE NE
2 S	1 W	WM	8	NE NW
2 S	1 W	WM	8	NW NW
2 S	1 W	WM	8	SW NW
2 S	1 W	WM	8	SE NW
2 S	1 W	WM	8	NE SW
2 S	1 W	WM	8	NW SW
2 S	1 W	WM	8	NE SE
2 S	1 W	WM	8	NW SE
2 S	1 W	WM	8	SE SE
2 S	1 W	WM	9	ALL
2 S	1 W	WM	10	ALL
2 S	1 W	WM	11	ALL
2 S	1 W	WM	12	NW NE
2 S	1 W	WM	12	SW NE
2 S	1 W	WM	12	NE NW
2 S	1 W	WM	12	NW NW
2 S	1 W	WM	12	SW NW
2 S	1 W	WM	12	SE NW
2 S	1 W	WM	12	NE SW
2 S	1 W	WM	12	NW SW
2 S	1 W	WM	12	SW SW
2 S	1 W	WM	12	SE SW
2 S	1 W	WM	12	NE SE
2 S	1 W	WM	12	NW SE
2 S	1 W	WM	12	SW SE
2 S	1 W	WM	12	SE SE
2 S	1 W	WM	13	NE NE
2 S	1 W	WM	13	NW NE
2 S	1 W	WM	13	SW NE
2 S	1 W	WM	13	SE NE
2 S	1 W	WM	13	NE NW
2 S	1 W	WM	13	NW NW
2 S	1 W	WM	13	SW NW
2 S	1 W	WM	13	SE NW
2 S	1 W	WM	13	NE SW
2 S	1 W	WM	13	NW SW

MUNICIPAL				
Twp	Rng	Mer	Sec	Q-Q
2 S	1 W	WM	13	SW SW
2 S	1 W	WM	13	SE SW
2 S	1 W	WM	13	NE SE
2 S	1 W	WM	13	NW SE
2 S	1 W	WM	13	SW SE
2 S	1 W	WM	14	NE NE
2 S	1 W	WM	14	NW NE
2 S	1 W	WM	14	SW NE
2 S	1 W	WM	14	SE NE
2 S	1 W	WM	14	NE NW
2 S	1 W	WM	14	NW NW
2 S	1 W	WM	14	SW NW
2 S	1 W	WM	14	SE NW
2 S	1 W	WM	14	NE SW
2 S	1 W	WM	14	NE SE
2 S	1 W	WM	14	NW SE
2 S	1 W	WM	14	SW SE
2 S	1 W	WM	14	SE SE
2 S	1 W	WM	15	NE NE
2 S	1 W	WM	15	NW NE
2 S	1 W	WM	15	SW NE
2 S	1 W	WM	15	SE NE
2 S	1 W	WM	15	NE NW
2 S	1 W	WM	15	NW NW
2 S	1 W	WM	15	SW NW
2 S	1 W	WM	15	SE NW
2 S	1 W	WM	15	NE SW
2 S	1 W	WM	15	NW SW
2 S	1 W	WM	15	SW SW
2 S	1 W	WM	15	NW SE
2 S	1 W	WM	16	NE NE
2 S	1 W	WM	16	NW NE
2 S	1 W	WM	16	SW NE
2 S	1 W	WM	16	SE NE
2 S	1 W	WM	16	NE NW
2 S	1 W	WM	16	NW NW
2 S	1 W	WM	16	SE NW
2 S	1 W	WM	16	NE SW
2 S	1 W	WM	16	SE SW
2 S	1 W	WM	16	NE SE
2 S	1 W	WM	16	NW SE
2 S	1 W	WM	16	SW SE
2 S	1 W	WM	16	SE SE
2 S	1 W	WM	17	NE NE
2 S	1 W	WM	17	NW NE
2 S	1 W	WM	24	NW NE
2 S	1 W	WM	24	SW NE
2 S	1 W	WM	24	NE NW
2 S	1 W	WM	24	NW NW
2 S	1 W	WM	24	SE NW

10. Transfer Application T-11898 proposes an additional point of appropriation for Certificates 85870, 85871, and 85872:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance to existing points of appropriation in miles		
						Well 2	ASR 1	ASR 2
2 S	1 W	WM	9	SW NW	1770 FEET SOUTH AND 1500 FEET WEST FROM THE NE CORNER OF SECTION 9	0.55	1.29	0.28

**Transfer Review Criteria (OAR 690-380-4010)**

11. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

**Conclusion of Law**

The additional point of appropriation proposed in Transfer Application T-11898 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The additional point of appropriation proposed in Transfer Application T-11898 is approved.
2. Except as provided in ORS 540.510(3)(a) the right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 85870, 85871, and 85872 and any related decree.
3. Water right Certificates 85870, 85871, and 85872 are cancelled.
4. The quantity of water diverted at the additional point of appropriation, together with the original point of appropriations, shall not exceed the quantity of water lawfully available at the original points of appropriation.

5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 28<sup>th</sup> day of September, 2015.

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

Mailing date: SEP 29 2015