

T-3119

GSI Ted Kessler

T 3119

CERT pg. 34708

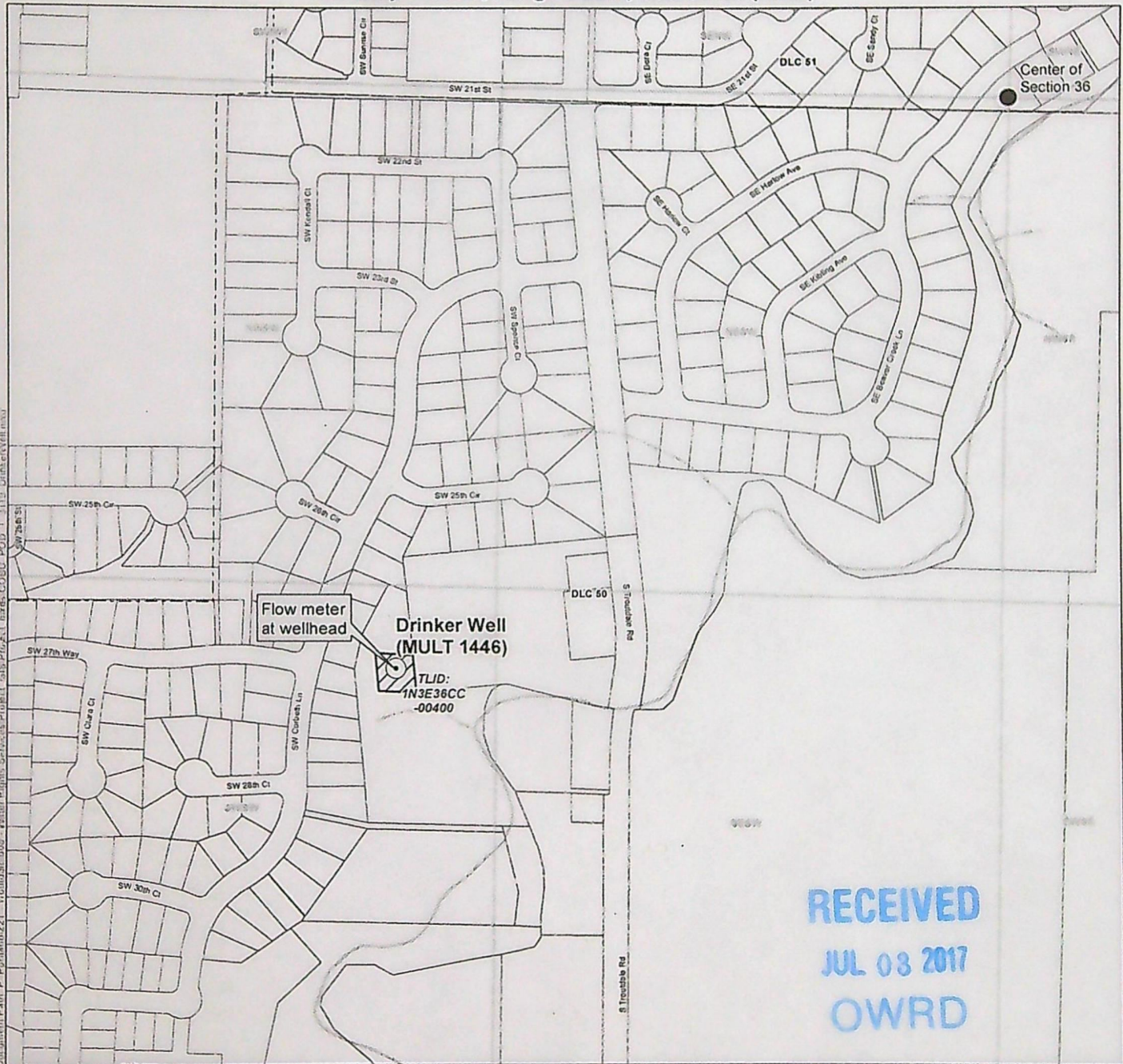
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Claim of Beneficial Use - Point of Appropriation Map Transfer T-3119

Water Right in the Name of City of Troutdale
Multnomah County
Township 1 North, Range 3 East, Section 36 (W.M.)



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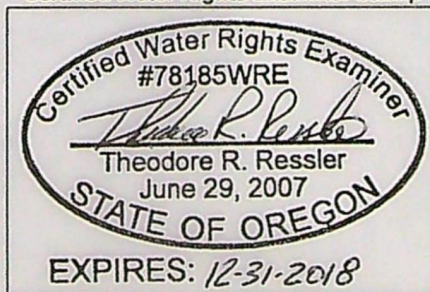
LEGEND

- Point of Appropriation
- Watercourse
- Watercourse
- Tax Lot
- Donation Land Claim

POA LOCATION DESCRIPTION

Drinker Well (MULT 1446)
Located 1540 feet South and 1,570 feet
West from the center of Section 36,
Township 1 North, Range 3 East (W.M.)

Certified Water Rights Examiner Stamp

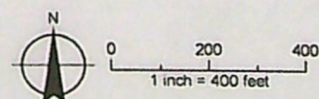


DISCLAIMER

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

MAP NOTES

Date: May 31, 2017
Data Sources: BLM, OWRD, ESRI,
Multnomah Co., USGS



STATE OF OREGON
COUNTY OF MULTNOMAH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF TROUTDALE
342 SW 4TH ST
TROUTDALE OR 97060

confirms the right to the use of water perfected under the terms of Permit G-2320. 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 well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A WELL IN BEAVER CREEK BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 0.81 CUBIC FOOT PER SECOND, OR ITS EQUIVALENT, IN CASE OF ROTATION, MEASURED AT THE WELL, FURTHER LIMITED TO NO MORE THAN 162.25 ACRE-FEET DURING THE IRRIGATION SEASON OF EACH YEAR

DATE OF PRIORITY: DECEMBER 26, 1962

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 N	3 E	WM	36	SW SW	50	DRINKER WELL - 1540 FEET SOUTH AND 1570 FEET WEST FROM CENTER 1/4 CORNER, SECTION 36

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
1 N	3 E	WM	23	NE NE
1 N	3 E	WM	23	NW NE
1 N	3 E	WM	23	SW NE
1 N	3 E	WM	23	SE NE
1 N	3 E	WM	24	NW NW
1 N	3 E	WM	24	SW NW
1 N	3 E	WM	24	SE NW
1 N	3 E	WM	24	NE SW
1 N	3 E	WM	24	NW SW
1 N	3 E	WM	24	SW SW
1 N	3 E	WM	24	SE SW
1 N	3 E	WM	25	SW NE

Twp	Rng	Mer	Sec	Q-Q
1 N	3 E	WM	25	NE NW
1 N	3 E	WM	25	NW NW
1 N	3 E	WM	25	SW NW
1 N	3 E	WM	25	SE NW
1 N	3 E	WM	25	NE SW
1 N	3 E	WM	25	NW SW
1 N	3 E	WM	25	SW SW
1 N	3 E	WM	25	SE SW
1 N	3 E	WM	25	NE SE
1 N	3 E	WM	25	NW SE
1 N	3 E	WM	25	SW SE
1 N	3 E	WM	25	SE 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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

Twp	Rng	Mer	Sec	Q-Q
1 N	3 E	WM	26	NE NE
1 N	3 E	WM	26	NW NE
1 N	3 E	WM	26	SW NE
1 N	3 E	WM	26	SE NE
1 N	3 E	WM	26	NE NW
1 N	3 E	WM	26	NW NW
1 N	3 E	WM	26	SW NW
1 N	3 E	WM	26	SE NW
1 N	3 E	WM	26	NE SW
1 N	3 E	WM	26	NW SW
1 N	3 E	WM	26	SW SW
1 N	3 E	WM	26	SE SW
1 N	3 E	WM	26	NE SE
1 N	3 E	WM	26	NW SE
1 N	3 E	WM	26	SW SE
1 N	3 E	WM	26	SE SE
1 N	3 E	WM	35	NE NE
1 N	3 E	WM	35	NW NE
1 N	3 E	WM	35	SW NE
1 N	3 E	WM	35	SE NE
1 N	3 E	WM	35	NE NW
1 N	3 E	WM	35	NW NW
1 N	3 E	WM	35	SW NW
1 N	3 E	WM	35	SE NW
1 N	3 E	WM	35	NE SW
1 N	3 E	WM	35	NW SW
1 N	3 E	WM	35	SW SW
1 N	3 E	WM	35	SE SW
1 N	3 E	WM	35	NE SE
1 N	3 E	WM	35	NW SE
1 N	3 E	WM	35	SW SE
1 N	3 E	WM	35	SE SE
1 N	3 E	WM	36	NE NE
1 N	3 E	WM	36	NW NE
1 N	3 E	WM	36	SW NE

Twp	Rng	Mer	Sec	Q-Q
1 N	3 E	WM	36	SE NE
1 N	3 E	WM	36	NE NW
1 N	3 E	WM	36	NW NW
1 N	3 E	WM	36	SW NW
1 N	3 E	WM	36	SE NW
1 N	3 E	WM	36	NE SW
1 N	3 E	WM	36	NW SW
1 N	3 E	WM	36	SW SW
1 N	3 E	WM	36	SE SW
1 N	3 E	WM	36	NE SE
1 N	3 E	WM	36	NW SE
1 N	3 E	WM	36	SW SE
1 N	3 E	WM	36	SE SE
1 N	4 E	WM	30	SW SW
1 N	4 E	WM	31	NW NW
1 N	4 E	WM	31	SW NW
1 N	4 E	WM	31	NW SW
1 S	3 E	WM	1	NE NE
1 S	3 E	WM	1	NW NE
1 S	3 E	WM	1	SW NE
1 S	3 E	WM	1	SE NE
1 S	3 E	WM	1	NE NW
1 S	3 E	WM	1	NW NW
1 S	3 E	WM	1	SW NW
1 S	3 E	WM	1	SE NW
1 S	3 E	WM	1	NE SW
1 S	3 E	WM	1	NW SW
1 S	3 E	WM	1	SW SW
1 S	3 E	WM	1	SE SW
1 S	3 E	WM	1	NE SE
1 S	3 E	WM	1	NW SE
1 S	3 E	WM	1	SW SE
1 S	3 E	WM	1	SE SE

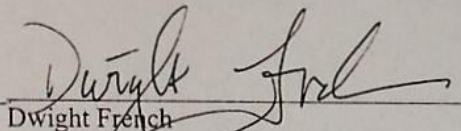
When required by the Department, the water user shall install, maintain and operate headgates and measuring devices. The diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled. The types and plans of the measuring device must be approved by the Watermaster prior to beginning construction and shall be installed under the general supervision of the Department.

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

This certificate is issued to confirm a change in CHARACTER OF USE approved by an order of the Water Resources Director entered DECEMBER 7, 1976, at Special Order Volume 28, Page 170, approving Transfer Application 3119 supersedes Certificate 34708, State record of Water Right Certificates.

JAN 24 2018

Issued _____



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

STATE OF OREGON

COUNTY OF MULTNOMAH

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JAMES M. FUJII

of Route 2, Box 1153, Troutdale, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Beaver Creek (Sandy River) for the purpose of irrigation of 64.9 acres

under Permit No. G-2320 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 26, 1962

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.81 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Hall DLC 50, Section 36, T. 1 N., R. 3 E., W. M. Well located 180 feet South and 480 feet East from the SE Corner Lot 10 (NW $\frac{1}{4}$ SW $\frac{1}{4}$).

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year;

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

22.7 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 20.7 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 21.5 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 all as projected within Hall DLC 50
 Section 36
 T. 1 N., R. 3 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. March 29, 1968

CHRIS L. WHEELER
 State Engineer

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Multnomah County

IN THE MATTER OF THE APPLICATION }
OF JAMES M. FUJII FOR THE APPROVAL }
OF A CHANGE IN USE MADE OF GROUND- }
WATER FROM DRINKER WELL }

ORDER APPROVING
TRANSFER NO. 3119

On August 19, 1974, James M. Fujii filed an application in the office of the Water Resources Director for the approval of a change in use heretofore made of ground water from Drinker Well pursuant to the provisions of ORS 537.705.

Certificate of water right issued to James M. Fujii and recorded at Page 34708, Volume 26, State Record of Water Right Certificates, confirms a right to the use of 0.81 cubic foot per second from a well for the irrigation of 22.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 20.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 21.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 1 North, Range 3 East, W.M., with a date of priority of December 26, 1962.

The said Drinker Well is located 180 feet South and 480 feet East from the Southeast corner of Lot 10, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Hall DIC No. 50, Section 36, Township 1 North, Range 3 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the use of water from irrigation of the said lands, without loss of priority, to municipal use, during the irrigation season, within the corporate limits of the City of Troutdale, Oregon, being within the NE $\frac{1}{4}$ of Section 23, West $\frac{1}{2}$ Section 24, Section 25, Section 26, Section 35 and Section 36, Township 1 North, Range 3 East, W.M.; SW $\frac{1}{4}$ Section 30 and West $\frac{1}{2}$ Section 31, Township 1 North, Range 4 East, W.M.; and Section 1, Township 1 South, Range 3 East, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Gresham Outlook, a newspaper printed and having general circulation in Multnomah County, Oregon, for a period of three weeks in the issues of October 7, 14 and 21, 1976.

Mr. Keith M. Palmer, Watermaster of District No. 16, has filed a statement to the effect that the proposed change in use heretofore made may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in use heretofore made may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of ground water from Drinker Well, described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted shall not exceed 0.81 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to James M. Fujii and recorded at Page 34708, Volume 26, State Record

of Water Right Certificates, is canceled, and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the City of Troutdale, Oregon.

Dated at Salem, Oregon, this 7th day of December, 1976.

/s/ JAMES E. SEXSON
Director

Gibraltar Onion Skin

MILLERS FALLS

ALL COTTON

Affidavit of Publication

STATE OF OREGON

County of Multnomah

ss

RECEIVED

OCT 20 1976

WATER RESOURCES DEPT
SALEM, OREGON

I, Norma Robinson, being first duly sworn, depose and say that I am the Bookkeeper

of the Gresham Outlook, a Bi-weekly newspaper of general circulation, printed and published at Gresham, in the afore-
said county and state, as defined by ORS 193.010 and 193.020 that T. 3119 James Fujii
Drinker Well

....., a printed copy of which is hereto attached was published in regular issues of said news-
paper for three successive and consecutive weeks in the following issues
Oct 7, 14, and 21 '76

Norma Robinson

Subscribed and sworn to before me this

26 day of

October 19 76

James E. Sexson

Notary Public for Oregon

My Commission Expires October 28, 1978.

NOTICE OF FILING APPLICATION FOR A CHANGE IN USE OF WATER FROM A WELL

Notice is given hereby that James M. Fujii has filed an application for the approval of a change in use of water from Drinker well.

Certificate of water right issued to James M. Fujii and recorded at Page 34708, Vd. 26, State Record of Water Right Certificates, confirms a right to the use of 0.81 cubic foot per second from a well for the irrigation of, among other lands, 22.7 acres in NE 1/4 SW 1/4, 20.7 acres in NW 1/4 SW 1/4 and 21.5 acres in SW 1/4 SW 1/4 of Sec. 36, T. 1 N., R. 3 E., W. M., with a date of priority of Dec. 26, 1962.

The said Drinker well is located 180 ft. S. and 480 ft. E. from the SE corner of Lot 10, being within the SW 1/4 SW 1/4 of Sec. 36, T. 1 N., R. 3 E., W. M.

The applicant herein, owner of the lands above described, proposes to change the use of water from irrigation of the said lands, without loss of priority, to municipal use, during the irrigation season, within the corporate limits of the City of Troutdale, Oregon, being within the NE 1/4 of Sec. 23, West 1/2 Sec. 24, Sec. 25, Sec. 26, Sec. 35 and Sec. 36, T. 1 N., R. 3 E., W. M.; SW 1/4 Sec. 30 and W 1/2 Sec. 31, T. 1 S., R. 4 E., W. M.; and Sec. 1, T. 1 S., R. 3 E., W. M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Portland, Oregon, on Nov. 30, 1976, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on James M. Fujii, Route 2, Box 1153, Troutdale, Or., and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTION IS FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 28th day of September, 1976.

JAMES E. SEXSON
Director
O-43f