

**CLAIM OF
BENEFICIAL USE
for Transfer New or Additional
POD Only**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.
The priority date of the transferred water right is 1958; no fee is required.

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in either point(s) of diversion or additional point(s) of diversion, or a combination of both. **YES NO**
If additional changes were authorized, you will need to select a different form.

1. File Information

| |
|---------------------------------|
| APPLICATION # T-12190 |
|---------------------------------|

2. Property Owner (current owner information)

| | | | |
|---|--------------------|----------------------------------|--|
| APPLICANT/BUSINESS NAME Fairview Water District; Attn: David Pace | | PHONE NO. 503-842-4333 | ADDITIONAL CONTACT NO. |
| ADDRESS 403 Marolf Loop Road | | | |
| CITY Tillamook | STATE OR | ZIP 97141 | E-MAIL davidpace@fairviewwater.com |

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

| | | |
|---|--------------------|---------------------|
| TRANSFER HOLDER OF RECORD Fairview Water District; Attn: David Pace | | |
| ADDRESS 403 Marolf Loop Road | | |
| CITY Tillamook | STATE OR | ZIP 97141 |

4. Date of Site Inspection:

| |
|---------------------------|
| September 19, 2022 |
|---------------------------|

5. Person(s) interviewed and description of their association with the project:

| NAME | DATE | ASSOCIATION WITH THE PROJECT |
|-------------------|------------------|--------------------------------------|
| David Pace | 9/19/2022 | Water District Superintendent |

6. County:

| |
|------------------|
| Tillamook |
|------------------|

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)): (Not applicable)

| | | |
|-----------------|-------|-----|
| OWNER OF RECORD | | |
| ADDRESS | | |
| CITY | STATE | ZIP |

Add additional tables for owners of record as needed

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



| | | | |
|--|--------------------|----------------------------------|----------------------------------|
| CWRE NAME Robyn Cook | | PHONE NO. 971-200-8505 | ADDITIONAL CONTACT NO. |
| ADDRESS GSI Water Solutions, Inc., 650 NE Holliday Street, Suite 900 | | | |
| CITY Portland | STATE OR | ZIP 97232 | E-MAIL rcook@gsiws.com |

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

| SIGNATURE | PRINT OR TYPE NAME | TITLE | DATE |
|-----------|--------------------|-------------------------------|----------|
| | David Pace | Water District Superintendent | 4/6/2023 |

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

**SECTION 3
CLAIM DESCRIPTION**

Note: The Claim only needs to describe the new or additional point(s) of diversion. This Claim does not need to provide information for the original point(s) of diversion unless the original point of diversion is either a new or additional point of diversion on another right involved in this transfer.

1. New or additional point of diversion name or number:

| POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP) | SOURCE |
|---|------------------------------|
| Well 4 (TILL 52602) | A Well (Wilson River) |

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, **YES** **NO** or extension final? If yes, describe below.

(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")

The transfer final order authorized appropriation at a rate of up to 1.33 cfs for the "Prop well" (which is shown as "Proposed Well 2" on the transfer map, and is now called "Well 4"). However, the Department issued a final order on March 15, 2023 that reverted 0.88 cfs back to the original point of appropriation (Well 2). This COBU documents the remaining 0.45 cfs authorized by transfer T-12190.

3. Claim Summary:

| NEW OR ADDITIONAL POD NAME OR # | MAXIMUM RATE AUTHORIZED IN ORDER | CALCULATED THEORETICAL RATE BASED ON SYSTEM | AMOUNT OF WATER MEASURED |
|------------------------------------|-------------------------------------|--|-----------------------------|
| Well 4 (TILL 52602) | 0.45 cfs¹ | 0.44² | 0.45 cfs |

***Notes:**

1. The final order issued March 15, 2023 authorizes 0.45 cfs for the POA involved in Transfer T-12190, by reverting 0.88 cfs back to the original Well 2 on Certificate 30205.

2. frictional losses may be overly conservative, as 0.45 cfs was observed, compared to the 0.44 cfs theoretical calculation.

RECEIVED

APR 14 2023

CIVIL
SALEM, OREGON

SECTION 4 SYSTEM DESCRIPTION

Are there multiple new or additional Points of Diversion (POD)s? YES NO

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

Well 4 (TILL 52602)

A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

| MANUFACTURER | MODEL | SERIAL NUMBER | TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE) | INTAKE SIZE | DISCHARGE SIZE |
|---------------|---------------|---------------|--|---------------|----------------|
| Goulds | 6-CHC6 | N/A | Submersible | 6-inch | 4-inch |

2. Motor Information

| MANUFACTURER | HORSEPOWER |
|---------------|------------|
| Goulds | 25 |

3. Theoretical Pump Capacity

| HORSEPOWER | OPERATING PSI | LIFT FROM SOURCE TO PUMP | LIFT FROM PUMP TO PLACE OF USE | TOTAL PUMP OUTPUT (IN CFS) |
|------------|---------------|--------------------------|--------------------------------|----------------------------|
| 25 | 119 | 101^A | 0^B | 0.44 |

^APumping water level

^BWater pumped from well directly into distributions system

4. Provide pump calculations:

$$Q_{\text{pump}} = \frac{(\text{Hp})(\text{conversion factor})}{(\text{lift} + \text{pressure}) \text{ total head in feet}} = \text{cfs}$$

Conversion factor:

$$\text{Turbine \& Submersible Pumps, 80\% eff. } \frac{(550 \text{ ft lb/sec/Hp})(.80)}{(62.4 \text{ lb/cu ft})} = 7.04 \text{ ft}^4/\text{sec/Hp}$$

Well 4

$$Q_{\text{pump}} = \frac{(25)(7.04)}{[100.9 + (119 * 2.54)]} = 0.44 \text{ cfs}$$

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

Note: Frictional losses in the well pump and pump column (upstream of the pressure measurement) assumed to be accounted for by the 2.54 ft/psi conversion factor (versus 2.31 ft/psi). Frictional losses in the transmission pipeline and additional lift downstream of the well discharge are a component of the pressure measured at the wellhead.

5. Measured Pump Capacity (using meter if meter was present and system was operating)

| INITIAL METER READING | ENDING METER READING | DURATION OF TIME OBSERVED | TOTAL PUMP OUTPUT (IN CFS) |
|-----------------------|----------------------|---------------------------|----------------------------|
| 196386300 gal | 196434500 gal | 4 hours | 0.45 cfs |

Reminder: For pump calculations use the reference information at the end of this document.

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe? YES NO

If "NO", items 2 through 4 relating to this section may be deleted. Items 2 through 4 were deleted.

C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal? YES NO

If "NO", items 2 through 4 relating to this section may be deleted. Items 2 through 4 were deleted.

2.

D. Additional notes or comments related to the system:

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

**SECTION 5
CONDITIONS**

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

| | DATE FROM TRANSFER | DATE THE NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE" |
|----------------------------------|--------------------|--|
| ISSUANCE DATE | August 18, 2017 | |
| COMPLETENESS DATE FROM ORDER (C) | October 1, 2022 | December 2017 |

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)? YES NO

If "NO", you may delete the following table. The table was deleted.

APR 14 2023

OWRD
SALEM, OREGON

3. Measurement Conditions:

- a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? YES NO

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.

- b. Has a meter been installed? YES NO

c. Meter Information

| POD NAME OR # | MANUFACTURER | SERIAL # | CONDITION (WORKING OR NOT) | CURRENT METER READING | DATE INSTALLED |
|------------------|--------------|-----------|-------------------------------|--------------------------|----------------|
| Well 1 | McCrometer | 17-08429 | Working | 217442800 | 6/6/2017 |
| Well 4 | McCrometer | E17-03478 | Working | 196434500 | December 2017 |

If a meter has been installed, items d through f relating to this section may be deleted. Items d through f were deleted.

4. Recording and reporting conditions

- a. Is the water user required to report the water use to the Department? YES NO

While not required, the Water District reports use annually.

- b. Have the reports been submitted? YES NO

If the reports have not been submitted, attach a copy of the reports if available.

5. Fish Screening

- a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES NO

If "NO", items b through e relating to this section may be deleted. Items b through e were deleted.

6. By-pass Devices

- a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES NO

If "NO", items b and c relating to this section may be deleted. Items b and c were deleted.

7. Other conditions required by the transfer final order or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed? YES NO
- b. Was a fishway required? YES NO
- c. Other conditions? YES NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

7c. Water shall be acquired from the same aquifer (water source) as the original point of appropriation. The replacement well (Well 4, TILL 52602) is constructed so that it acquires water from the same aquifer as the original point of appropriation.

**SECTION 6
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

| ATTACHMENT NAME | DESCRIPTION |
|---------------------|--------------------------------|
| Attachment 1 | Map |
| Attachment 2 | Water Right Information |
| Attachment 3 | Well Log (TILL 52602) |

**SECTION 7
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The Fairview Water District is a water supplier with a good understanding of its system components and component locations. The location of the additional point of appropriation is based on Geographic Information System (GIS) coordinates. The Claim of Beneficial Use map was developed using GIS software and spatial datasets obtained from Oregon Water Resources Department (OWRD), the United States Bureau of Land Management (US BLM), the U.S. Geologic Service (USGS), and Tillamook County. Additional data and information specific to the water right holder's use of water under the water right described in this Claim of Beneficial Use report were obtained from the water right holder.

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- N/A** If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- N/A** Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- N/A** Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- N/A** Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

Attachment 1

Map

Claim of Beneficial Use – Transfer T-12190

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

Attachment 2

Water Right Information

Claim of Beneficial Use - Transfer T-12190

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) FINAL ORDER
T-12190, Tillamook County) APPROVING A CHANGE IN POINT
) OF APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

Applicant

FAIRVIEW WATER DISTRICT
403 MAROLF LOOP RD
TILLAMOOK, OR 97141

Findings of Fact

1. On October 27, 2015, FAIRVIEW WATER DISTRICT filed an application to change the point of appropriation under Certificate 30205. The Department assigned the application number T-12190.
2. Notice of the application for transfer was published on November 3, 2015, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 8, 2016 the applicant submitted a revised application and map correcting the location and description of the authorized points of appropriation.
4. On April 13, 2016, the Department sent a copy of the Draft Preliminary Determination proposing to approve Transfer Application T-12190 to the applicant. The Draft Preliminary Determination cover letter set forth a deadline of May 13, 2016, for the applicant to respond. The applicant requested that the completion date be extended to October 1, 2022 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

5. On June 3, 2016, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12190 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on June 7, 2016, and in the Tillamook Headlight Herald newspaper on June 15 and 22, 2016, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The right to be transferred is as follows:

Certificate: 30205 in the name of FAIRVIEW WATER DISTRICT (perfected under Permit G-1115)

Use: ALL OF THE PURPOSES FOR WHICH WATER COULD BE USED IN A CITY UNDER A RIGHT INITIATED FOR MUNICIPAL USES

Priority Date: AUGUST 27, 1958

Rate: 2.11 CUBIC FEET PER SECOND (CFS), BEING 0.78 CFS FROM WELL No. 1 AND 1.33 CFS FROM WELL No. 2

Sources: WELLS No. 1 and No. 2 within the WILSON RIVER BASIN

Authorized Points of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|-----|-----|-----|-------|--|
| 1 S | 9 W | WM | 29 | NW SE | WELL No. 1 - 935.2 FEET NORTH AND 40 FEET EAST FROM THE SW CORNER OF TRIPP DLC 42 |
| 1 S | 9 W | WM | 29 | NW SE | WELL No. 2 - 733.2 FEET NORTH AND 224.5 FEET EAST FROM THE SW CORNER OF TRIPP DLC 42 |

Authorized Place of Use:

| MUNICIPAL USES | | | | |
|----------------|-----|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 1 S | 9 W | WM | 19 | NE SE |
| 1 S | 9 W | WM | 19 | NW SE |
| 1 S | 9 W | WM | 19 | SW SE |
| 1 S | 9 W | WM | 19 | SE SE |
| 1 S | 9 W | WM | 20 | SW NE |
| 1 S | 9 W | WM | 20 | SE NE |
| 1 S | 9 W | WM | 20 | SW NW |
| 1 S | 9 W | WM | 20 | NE SW |
| 1 S | 9 W | WM | 20 | NW SW |
| 1 S | 9 W | WM | 20 | SW SW |
| 1 S | 9 W | WM | 20 | SE SW |
| 1 S | 9 W | WM | 20 | NE SE |
| 1 S | 9 W | WM | 20 | NW SE |
| 1 S | 9 W | WM | 20 | SW SE |
| 1 S | 9 W | WM | 20 | SE SE |
| 1 S | 9 W | WM | 21 | NE NE |
| 1 S | 9 W | WM | 21 | NW NE |
| 1 S | 9 W | WM | 21 | SW NE |
| 1 S | 9 W | WM | 21 | SE NE |
| 1 S | 9 W | WM | 21 | NE NW |
| 1 S | 9 W | WM | 21 | SW NW |
| 1 S | 9 W | WM | 21 | SE NW |
| 1 S | 9 W | WM | 21 | NE SW |

| MUNICIPAL USES | | | | |
|----------------|-----|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 1 S | 9 W | WM | 21 | NW SW |
| 1 S | 9 W | WM | 21 | SW SW |
| 1 S | 9 W | WM | 21 | SE SW |
| 1 S | 9 W | WM | 21 | NE SE |
| 1 S | 9 W | WM | 21 | NW SE |
| 1 S | 9 W | WM | 21 | SW SE |
| 1 S | 9 W | WM | 21 | SE SE |
| 1 S | 9 W | WM | 22 | SW NE |
| 1 S | 9 W | WM | 22 | NE NW |
| 1 S | 9 W | WM | 22 | NW NW |
| 1 S | 9 W | WM | 22 | SW NW |
| 1 S | 9 W | WM | 22 | SE NW |
| 1 S | 9 W | WM | 22 | NE SW |
| 1 S | 9 W | WM | 22 | NW SW |
| 1 S | 9 W | WM | 22 | SW SW |
| 1 S | 9 W | WM | 22 | SE SW |
| 1 S | 9 W | WM | 22 | NE SE |
| 1 S | 9 W | WM | 22 | NW SE |
| 1 S | 9 W | WM | 22 | SW SE |
| 1 S | 9 W | WM | 22 | SE SE |
| 1 S | 9 W | WM | 23 | SW SW |
| 1 S | 9 W | WM | 23 | SE SW |
| 1 S | 9 W | WM | 23 | SW SE |
| 1 S | 9 W | WM | 26 | NW NE |
| 1 S | 9 W | WM | 26 | SW NE |
| 1 S | 9 W | WM | 26 | NE NW |
| 1 S | 9 W | WM | 26 | NW NW |
| 1 S | 9 W | WM | 26 | SW NW |
| 1 S | 9 W | WM | 26 | SE NW |
| 1 S | 9 W | WM | 26 | NE SW |
| 1 S | 9 W | WM | 26 | NW SW |
| 1 S | 9 W | WM | 26 | SW SW |
| 1 S | 9 W | WM | 26 | SE SW |
| 1 S | 9 W | WM | 26 | NE SE |
| 1 S | 9 W | WM | 26 | NW SE |
| 1 S | 9 W | WM | 26 | SW SE |
| 1 S | 9 W | WM | 27 | NE NE |
| 1 S | 9 W | WM | 27 | NW NE |
| 1 S | 9 W | WM | 27 | SW NE |
| 1 S | 9 W | WM | 27 | SE NE |
| 1 S | 9 W | WM | 27 | NE NW |
| 1 S | 9 W | WM | 27 | NW NW |
| 1 S | 9 W | WM | 27 | SW NW |
| 1 S | 9 W | WM | 27 | SE NW |
| 1 S | 9 W | WM | 27 | NE SW |
| 1 S | 9 W | WM | 27 | NW SW |
| 1 S | 9 W | WM | 27 | SW SW |
| 1 S | 9 W | WM | 27 | SE SW |
| 1 S | 9 W | WM | 27 | NE SE |
| 1 S | 9 W | WM | 27 | NW SE |
| 1 S | 9 W | WM | 27 | SW SE |

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

| MUNICIPAL USES | | | | |
|----------------|-----|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 1 S | 9 W | WM | 27 | SE SE |
| 1 S | 9 W | WM | 28 | NE NE |
| 1 S | 9 W | WM | 28 | NW NE |
| 1 S | 9 W | WM | 28 | SW NE |
| 1 S | 9 W | WM | 28 | SE NE |
| 1 S | 9 W | WM | 28 | NE NW |
| 1 S | 9 W | WM | 28 | NW NW |
| 1 S | 9 W | WM | 28 | SW NW |
| 1 S | 9 W | WM | 28 | SE NW |
| 1 S | 9 W | WM | 28 | NE SW |
| 1 S | 9 W | WM | 28 | NW SW |
| 1 S | 9 W | WM | 28 | SW SW |
| 1 S | 9 W | WM | 28 | SE SW |
| 1 S | 9 W | WM | 28 | NE SE |
| 1 S | 9 W | WM | 28 | NW SE |
| 1 S | 9 W | WM | 28 | SW SE |
| 1 S | 9 W | WM | 28 | SE SE |
| 1 S | 9 W | WM | 29 | NE NE |
| 1 S | 9 W | WM | 29 | NW NE |
| 1 S | 9 W | WM | 29 | SW NE |
| 1 S | 9 W | WM | 29 | SE NE |
| 1 S | 9 W | WM | 29 | NE NW |
| 1 S | 9 W | WM | 29 | NW NW |
| 1 S | 9 W | WM | 29 | SW NW |
| 1 S | 9 W | WM | 29 | SE NW |
| 1 S | 9 W | WM | 29 | NE SW |
| 1 S | 9 W | WM | 29 | SW SW |
| 1 S | 9 W | WM | 29 | SE SW |
| 1 S | 9 W | WM | 29 | NE SE |
| 1 S | 9 W | WM | 29 | NW SE |
| 1 S | 9 W | WM | 29 | SW SE |
| 1 S | 9 W | WM | 29 | SE SE |
| 1 S | 9 W | WM | 30 | NE NE |
| 1 S | 9 W | WM | 30 | SE NE |
| 1 S | 9 W | WM | 30 | NW SE |
| 1 S | 9 W | WM | 30 | SW SE |
| 1 S | 9 W | WM | 30 | SE SE |
| 1 S | 9 W | WM | 31 | NE NE |
| 1 S | 9 W | WM | 31 | NW NE |
| 1 S | 9 W | WM | 31 | SW NE |
| 1 S | 9 W | WM | 31 | SE NE |
| 1 S | 9 W | WM | 32 | NE NE |
| 1 S | 9 W | WM | 32 | NW NE |
| 1 S | 9 W | WM | 32 | SW NE |
| 1 S | 9 W | WM | 32 | SE NE |
| 1 S | 9 W | WM | 32 | NE NW |
| 1 S | 9 W | WM | 32 | NW NW |
| 1 S | 9 W | WM | 32 | SW NW |
| 1 S | 9 W | WM | 32 | SE NW |
| 1 S | 9 W | WM | 32 | NE SW |
| 1 S | 9 W | WM | 32 | NW SW |

RECEIVED
 APR 14 2023
 OWRD
 SALEM, OREGON

| MUNICIPAL USES | | | | |
|----------------|-----|-----|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q |
| 1 S | 9 W | WM | 32 | SW SW |
| 1 S | 9 W | WM | 32 | SE SW |
| 1 S | 9 W | WM | 33 | NE NE |
| 1 S | 9 W | WM | 33 | NW NE |
| 1 S | 9 W | WM | 33 | SW NE |
| 1 S | 9 W | WM | 33 | SE NE |
| 1 S | 9 W | WM | 33 | NE NW |
| 1 S | 9 W | WM | 33 | NW NW |
| 1 S | 9 W | WM | 33 | SW NW |
| 1 S | 9 W | WM | 33 | SE NW |

7. Certificate 30205 describes the location of the points of appropriation above, however information is available from the COBU and the consultant's on site survey indicating that the authorized points of appropriation are located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|-----|-----|-----|-------|--|
| 1 S | 9 W | WM | 29 | NE SW | WELL No. 1 - 2119.3 FEET NORTH AND 2712.6 FEET WEST FROM THE SE CORNER OF SECTION 29 |
| 1 S | 9 W | WM | 29 | NW SE | WELL No. 2 - 1892.8 FEET NORTH AND 2570.2 FEET WEST FROM THE SE CORNER OF SECTION 29 |

8. The proposed points of appropriation are described in the table below with the approximate measure distanced from the authorized points of appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances | Distance from original well location in feet (ft) | |
|-----|-----|-----|-----|-------|--|---|----------|
| | | | | | | WELL #1 | WELL #2 |
| 1 S | 9 W | WM | 29 | NW SE | WELL No. 1 - 2119.3 FEET NORTH AND 2712.6 FEET WEST FROM THE SE CORNER OF SECTION 29 | 0 ft. | 260 ft. |
| 1 S | 9 W | WM | 29 | NE SE | PROP WELL - 1684.3 FEET NORTH AND 240.6 FEET WEST FROM THE SE CORNER OF SECTION 29 | 2640 ft. | 2380 ft. |

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12190.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

Conclusions of Law

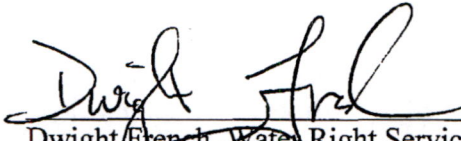
The change in point of appropriation proposed in Transfer Application T-12190 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation proposed in Transfer Application T-12190 is approved.
2. 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 Certificate 30205 and any related decree.
3. Water right Certificate 30205 is cancelled.
4. The quantity of water diverted at the new points of appropriation 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, 2022**. 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 change and full beneficial use of the water.

8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 18 day of August, 2017.



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

Mailing date: AUG 24 2017

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

| | | |
|---------------------------------------|---|------------------------------------|
| In the Matter of Transfer Application |) | FINAL ORDER FOR A PARTIAL |
| T-12190, Tillamook County |) | REVERSION OF A CHANGE IN POINTS OF |
| |) | APPROPRIATION AND AMENDING |
| |) | SPECIAL ORDER VOLUME 105, PAGES |
| |) | 639-645, APPROVING T-12190 |

Authority

OAR 690-380-6010(6) provides that a point of diversion or appropriation shall revert to the last authorized point of diversion or appropriation if the changes authorized under a transfer are not completed.

Applicant

FAIRVIEW WATER DISTRICT
403 MAROLF LOOP ROAD
TILLAMOOK, OR 97141

Findings of Fact

1. On October 27, 2015, FAIRVIEW WATER DISTRICT filed an application to change the points of appropriation under Certificate 30205. The Department assigned the application number T-12190.
2. On August 18, 2017, the Water Resources Department issued an order approving the proposed change in points of appropriation. The order was recorded in Special Order Volume 105, Page 639-645.
3. On September 22, 2022, David Pace, Superintendent of Fairview Water District sent a letter to the Department requesting to partially revert 0.88 cubic foot per second (cfs) approved under T-12190 from the proposed well back to the original point of appropriation (Well 2).

This is a final 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 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.

Conclusion of Law:

The partial reversion of 0.88 cfs from the point of appropriation authorized under Transfer Application T-12190 to the point of appropriation (Well 2) authorized under the water right prior to Transfer Application T-12190 is consistent with OAR 690-380-6010(6). A superseding certificate for the reverted portion of the right affected by the transfer shall be issued.

Now, therefore, it is ORDERED:

1. The point of appropriation for 0.88 cfs of the right affected under Transfer Application T-12190 for the right described by Certificate 30205 is reverted to the point of appropriation (Well 2) authorized under the water right prior to the transfer.
2. A superseding certificate for the 0.88 cfs portion of Certificate 30205 approved for a change in point of appropriation by Transfer Application T-12190 shall be issued to describe that portion of the right.
3. All other terms and conditions of Special Order Vol. 105, pages 639-645 remain unchanged.

Dated in Salem, Oregon on **MAR 15 2023**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

Mailing date: **MAR 16 2023**

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

Attachment 3

Well Log (TILL 52602)

Claim of Beneficial Use - Transfer T-12190

TILL 52602

STATE OF OREGON
 WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

WELL I.D. LABEL# L 118534
 START CARD # 212535
 ORIGINAL LOG # TILLAMOOK

TILL 52602

(1) LAND OWNER Owner Well I.D. No. 2 Replacement
 First Name _____ Last Name _____
 Company Fairview Water District
 Address 403 Marolf Drive
 City Tillamook State OR Zip 97141

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION

| Casing: | Dia | + | From | To | Gauge | Stl | Plstc | Wld | Thrd |
|---------|-----|---|------|----|-------|--------------------------|--------------------------|--------------------------|--------------------------|
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Seal: _____

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other _____

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 181 ft.

| BORE HOLE | | | SEAL | | | sacks/ |
|-----------|------|-----|----------|------|------------|--------|
| Dia | From | To | Material | From | To | lbs |
| 14 | 0 | 158 | Cement | 0 | 120 | 80 S |
| 12 | 158 | 185 | | | Calculated | 41 |
| | | | | | Calculated | |

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from 181 ft. to 185 ft. Material Pea gravel
 Filter pack from 120 ft. to 181 ft. Material Pea gravel Size 1/8-3/8
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount 0 Pounds Actual Amount 0 Pounds

(6) CASING/LINER

| Casing/ Liner | Dia | + | From | To | Gauge | Stl | Plstc | Wld | Thrd |
|-------------------------------------|------|-------------------------------------|------|-----|-------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | 10 | <input checked="" type="checkbox"/> | 1.5 | 133 | .25 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | 10x8 | <input type="checkbox"/> | 133 | 134 | .250 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | 8 | <input type="checkbox"/> | 134 | 136 | .250 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | 8 | <input type="checkbox"/> | 176 | 181 | .250 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia 14 From 0 To 158

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type V-Shaped Wire Wrap Material 304SS

| Perf/ Casing/ Screen | Dia | From | To | Scrns/slot width | Slot length | # of slots | Tele/ pipe size |
|----------------------|-----|------|-----|------------------|-------------|------------|-----------------|
| Screen | 8 | 136 | 176 | 0.04 | continuous | | PS |

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

| Yield gal/min | Drawdown | Drill stem/Pump depth | Duration (hr) |
|---------------|----------|-----------------------|---------------|
| 208 | 63 | 134 | 8 |

Temperature 54 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 80 ppm
 From To Description Amount Units

(9) LOCATION OF WELL (legal description)
 County TILLAMOOK Twp 1 S N/S Range 9 W E/W WM
 Sec 29 NE 1/4 of the SE 1/4 Tax Lot 1890
 Tax Map Number 01S09W28CB Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address
 602 Fairlane Dr, Tillamook OR 97141

(10) STATIC WATER LEVEL

| Date | SWL(psi) | + | SWL(ft) |
|--------------------------------|----------|---|---------|
| Existing Well / Pre-Alteration | | | |
| Completed Well 06-30-2016 | | | 34 |

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 30

| SWL Date | From | To | Est Flow | SWL(psi) | + | SWL(ft) |
|------------|------|-----|----------|----------|---|---------|
| NM | 30 | 39 | 15 | | | NM |
| 06-30-2016 | 148 | 161 | 200 | | | 34 |

(11) WELL LOG Ground Elevation _____

| Material | From | To |
|--------------------------------------|------|-------------|
| See attached formation log. | | |
| RECEIVED | | |
| APR 14 2023 | | |
| OWRD SALEM, OREGON | | |
| RECEIVED BY OWRD | | |
| | | JUL 29 2016 |
| Bottom of 8" has welded steel plate. | | SALEM, OR |

Date Started 05-25-2016 Completed 07-05-2016

(unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number 1797 Date 07-26-2016

Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 649 Date 07-26-2016

Signed *Stephen Schneider*
 Contact Info (optional) _____

RECEIVED BY OWRD
 AUG 15 2016

SALEM OR

TILL 52602

TILL 52602

**Fairview Water District Well 2 Replacement
Start Card # 212535 - Well Tag ID # L 118534
Formation Log
by Schneider Water Services**

RECEIVED

APR 14 2023

OWRD
SALEM, OREGON

FM TO DESCRIPTION

| | | |
|-----|-----|--|
| 0 | 10 | Clay, brown, medium w/some claystone (CS), blue grey, medium |
| 10 | 30 | Gravel, 1.25"- w/clay, brown, medium |
| 30 | 39 | Gravel, 1"- |
| 39 | 68 | Gravel, 1.5"- w/clay, brown, medium |
| 68 | 92 | Gravel, 1.5"- w/clay, reddish brown, medium & some claystone, reddish brown, medium |
| 92 | 123 | Gravel, 1.5"- w/sand, multi-colored, coarse & clay, brown, soft-medium |
| 123 | 134 | Gravel, 1.5"- w/sand, multi-colored, coarse & CS, brown-red, soft to medium |
| 134 | 137 | Gravel, 1.5"- w/sand, multi-colored, coarse & CS, brown-red, soft-medium & some clay, tan, soft |
| 137 | 140 | Gravel, 1"- w/sand, multi-colored, coarse & CS, brown-red & sandstone, tan, soft, fine |
| 140 | 148 | Gravel, 1.5"- w/sand, multi-colored, coarse & CS, brown-red, soft-medium & clay, orange, soft-medium |
| 148 | 161 | Gravel, 1.5"- w/sand, multi-colored, coarse |
| 161 | 171 | Gravel, 1.5"- w/sand multi-colored coarse & some CS, brown, medium & clay, orange, soft-medium |
| 171 | 172 | Claystone, blue-grey, hard |
| 172 | 173 | Gravel, 2"- w/sand, multi-colored coarse, brown, medium & occasional clay, orange soft-medium |
| 173 | 174 | Claystone, grey, hard |
| 174 | 175 | Gravel, 1.5"- w/sand, multi-colored, coarse & some CS, brown, medium-hard |
| 175 | 185 | Claystone, grey, medium-hard & some clay, grey, soft-medium |

RECEIVED BY OWRD

JUL 29 2016

SALEM, OR



RECEIVED
APR 14 2023
OWRD
SALEM, OREGON

April 11, 2023

Oregon Water Resources Department
ATTN: Mr. Gerry Clark
725 Summer Street NE, Suite A
Salem, OR 97301

Subject: Claim of Beneficial Use for T-12190
Fairview Water District

Dear Gerry:

This Claim of Beneficial Use (COBU) is submitted on behalf of the Fairview Water District (in Tillamook, Oregon) for Transfer T-12190. The only change is an additional point of appropriation ("Prop Well 2" in the Transfer application, and called "Well 4" by the District).

Transfer T-12190 includes 0.78 cubic feet per second (cfs) from the existing Well 1, and 1.33 cfs from the original Well 2. A final order (March 15, 2023) reverted 0.88 cfs back to the original point of appropriation (Well 2), leaving 0.45 cfs for the additional point of appropriation (Well 4).

If you have any questions regarding the enclosed COBU, please call me at (503) 239-8799 ext. 130. Thank you for your assistance and I look forward to hearing from you soon.

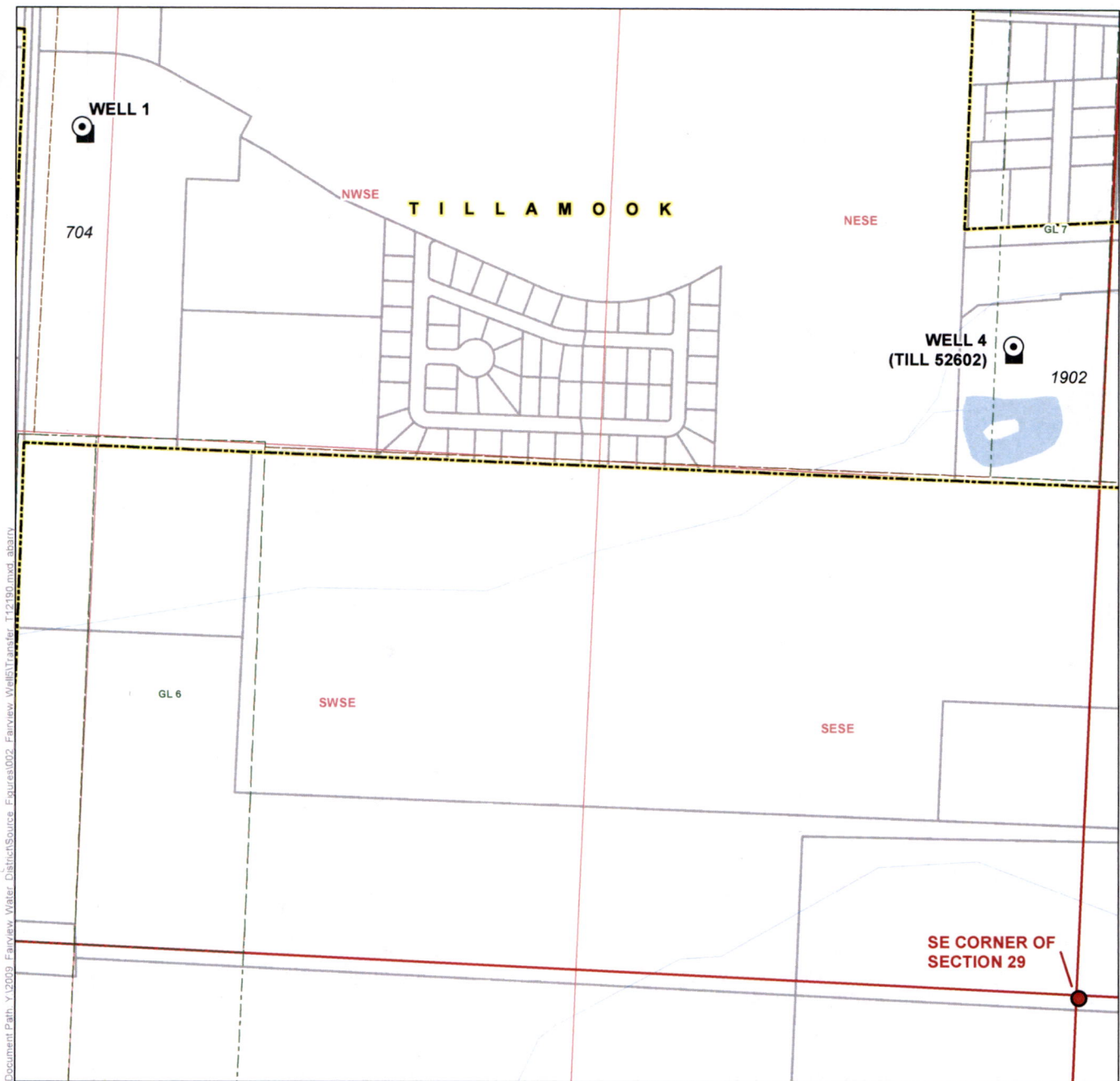
Sincerely,

A handwritten signature in blue ink that reads "Robyn Cook".

Robyn Cook, RG, CWRE
GSI Water Solutions, Inc.








Enclosures: Claim of Beneficial Use for T-12190

CC: David Pace, Fairview Water District



Document Path: Y:\2019 Fairview Water District\Source Figures\02 Fairview Wells\Tillamook\Tillamook.mxd abany

LEGEND

-  Point of Appropriation (POA)
-  City Boundary
-  Meter
-  Watercourse
-  Tax Lot
-  Waterbody
-  Government Lot (GL)

**Claim of Beneficial Use
In the Name of Fairview Water District
Point of Appropriation**

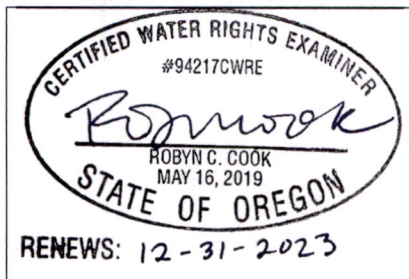
Transfer T-12190

RECEIVED Township 1 South, Range 9 West (W.M.)

APR 14 2023

**OWRD
SALEM, OREGON**

CERTIFIED WATER RIGHTS EXAMINER STAMP



LOCATION DESCRIPTION

WELL 1
Located 2,119.3 feet North and 2,712.6 feet West from the SE corner of Section 29, Township 1 South, Range 9 West (W.M.)

WELL 4 (TILL 52602)
Located 1,684.3 feet North and 240.6 feet West from the SE corner of Section 29, Township 1 South, Range 9 West (W.M.)

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: April 6, 2023

Data Sources: BLM, ESRI, OWRD, USGS, Tillamook Co.

