

Name City of Hillsboro; Attn: Jeroen Kok  
 By Parks and Recreation Department  
 Address 4400 NW 229th Ave  
Hillsboro, OR 97214 R-88582

Application No. R-88582

Permit No. R-15347

Certificate No. \_\_\_\_\_

Date \_\_\_\_\_

DENIED \_\_\_\_\_

MISFILED \_\_\_\_\_

WITHDRAWN \_\_\_\_\_

CANCELLED \_\_\_\_\_

Volume \_\_\_\_\_ Page \_\_\_\_\_

# FEES PAID

Date	Amount	Receipt No.
5-16-18	1,315. <sup>00</sup>	126656

Cert. Fee

# FEES REFUNDED

Date	Amount	Receipt No.

Priority May 16, 2018

County Washington WM# 20

# RELATED FILES

# ASSIGNMENTS

Date	To Whom	Address

# DEVELOPMENT

Date

Completion \_\_\_\_\_

Extended to \_\_\_\_\_

Final Proof received \_\_\_\_\_

Proposed Cert. Mailed \_\_\_\_\_

REMARKS \_\_\_\_\_

COBU MAP # 2084  
A-9

MAP LOCATION \_\_\_\_\_

5/17/2018





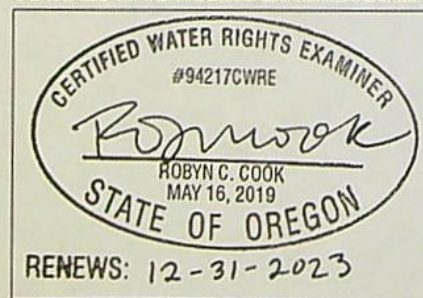
**LEGEND**

- Point of Diversion (POD)
- Staff Guage
- ▨ Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Watercourse

**POD LOCATION DESCRIPTION**

**Outlet (WCS 2)**  
 Located 607 feet North and 3409 feet East from the SW corner of Section 6, Township 1 South, Range 2 West (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.  
 Date: November 1, 2023  
 Data Sources: BLM, ESRI, OWRD, USGS

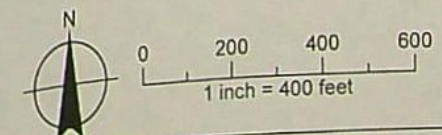
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**Claim of Beneficial Use Map  
 City of Hillsboro**

Application R-88582; Permit R-15347  
 Township 1 South, Range 2 West (W.M.)  
 Washington County





# Checklist for Claims of Beneficial Use Received at CSG Counter

Application #: R-88582	WRD Reviewer: Corie
Transfer #:	
Date Received: 11/21/23	
CWRE Name: Robyn Cook	
Priority Date (s): 5/16/2018	

## Fees Required:

- ☒ YES ☐ NO ☐ A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☐ YES ☐ NO ☐ A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
- Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

## Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

## Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

**MONEY SLIP**

DATE: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_

RECEIVED FROM: \_\_\_\_\_ APPLICATION: \_\_\_\_\_  
PERMIT: \_\_\_\_\_  
TRANSFER: \_\_\_\_\_

CASH CHECK # \_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_ TOTAL RECEIVED: \$ \_\_\_\_\_

0001 TREASURY 0170 MISC CASH ACCT. \_\_\_\_\_

0407 COPIES (IDENTIFY) \_\_\_\_\_

0408 OTHER (IDENTIFY) \_\_\_\_\_

0243 INDIAN LEASE \_\_\_\_\_ 0244 STATE WATER MGMT PLAN \_\_\_\_\_ 0245 CORR. WATER \_\_\_\_\_

0001 TREASURY 0170 MISC OPERATING ACCT. \_\_\_\_\_

MISCELLANEOUS 4611

0407 COPY & TAPES FEES \_\_\_\_\_

0410 RESEARCH FEES \_\_\_\_\_

0408 MISC REVENUE (IDENTIFY) \_\_\_\_\_

0140 DEPOSIT LAB (IDENTIFY) \_\_\_\_\_

0240 EXTENSION OF TIME \_\_\_\_\_

0201 WATER RIGHTS EXAM FEE \_\_\_\_\_ RECEIVING FEE \_\_\_\_\_

0202 SURFACE WATER \_\_\_\_\_

0203 GROUND WATER \_\_\_\_\_

0205 TRANSFER \_\_\_\_\_

0210 WELL CONSTRUCTION EXAM FEE \_\_\_\_\_ RECEIVING FEE \_\_\_\_\_

0211 WELL DRILL CONSTRUCTION \_\_\_\_\_

0212 LANDOWNER'S PERMIT \_\_\_\_\_

0213 OTHER (IDENTIFY) \_\_\_\_\_

0001 TREASURY 0407 HYDROELECTRIC \_\_\_\_\_

0220 POWER LICENSE FEE (F/WWRD) \_\_\_\_\_

0221 HYDRO LICENSE FEE (F/WWRD) \_\_\_\_\_

HYDRO APPLICATION \_\_\_\_\_

SPECIAL INSTRUCTIONS: \_\_\_\_\_

☐ RETURN TO APPLICANT - LETTER ATTACHED

## Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) \*If no, include pump test flyer w/acknowledgment letter
- ☐ Pump Test required (Priority Date on or after December 20, 1988)
- ☐ Pump Test submitted
- ☐ Pump Test not submitted





# Oregon

Tina Kotek, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

November 22, 2023

City of Hillsboro  
Attn: Laura Trunk  
4400 NW 229th Ave  
Hillsboro, OR 97124

On November 21, 2023, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Application R-88582

Permit R-15347

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$230.00 COBU recording fee.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file R-88582



Check Date: 11/17/2023

79834

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
COBU Permit R-15347	11/15/2023	0232990	230.00			230.00
Oregon Water Resources Department			230.00			230.00
COMERICA GENERAL	2	262158				
		TOTAL				

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2023 11 &amp; NOV

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STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**  
 725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172  
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **141974**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Geo-LogicAPPLICATION R-88582

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

CASH: ☐ CHECK: # 79834 OTHER: (IDENTIFY) \_\_\_\_\_

TRANSFER \_\_\_\_\_

TOTAL REC'D \$ 230.00**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_

OTHER: (IDENTIFY) \$ \_\_\_\_\_

0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT****MISCELLANEOUS**0407 COPY & TAPE FEES \$ 46111

0410 RESEARCH FEES \$ \_\_\_\_\_

0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_

TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_

0205 TRANSFER \$ \_\_\_\_\_

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_

LANDOWNER'S PERMIT

OTHER (IDENTIFY) COBU \$ 230.00**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

RECEIPT:

**141974**DATED: 11-21-23BY: my-milla

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



**CLAIM OF  
BENEFICIAL USE  
for Reservoir Permits by  
CWRE's (not self-certified)**



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

**A fee of \$230 must accompany this form for permits  
with priority dates of July 9, 1987, or later.**

Claims received without the correct fee of \$200 will be returned.

**This COBU is for a permit with a priority date of May 16, 2018; the \$230 fee is included.**

**A separate form shall be completed for each permit.**

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

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.

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**

**1. File Information**

APPLICATION # <b>R-88582</b>	PERMIT # (IF APPLICABLE) <b>R-15347</b>	PERMIT AMENDMENT # (IF APPLICABLE)
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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>City of Hillsboro</b> <b>ATTN: Laura Trunk - Parks and Recreation Department</b>		PHONE NO. <b>503-681-5373</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>4400 NW 229<sup>th</sup> Avenue</b>			
CITY <b>Hillsboro</b>	STATE <b>OR</b>	ZIP <b>97124</b>	E-MAIL <b>Laura.Trunk@hillsboro-oregon.gov</b>

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

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

PERMIT HOLDER OF RECORD <b>City of Hillsboro</b>		
ADDRESS <b>4400 NW 229<sup>th</sup> Avenue</b>		
CITY <b>Hillsboro</b>	STATE <b>OR</b>	ZIP <b>97124</b>

ADDITIONAL PERMIT HOLDER OF RECORD <b>N/A</b>		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

**9/26/2023**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Laura Trunk</b>	<b>9/26/2023</b>	<b>Watershed Restoration Coordinator, Parks &amp; Recreation Department, City of Hillsboro</b>

6. County

**Washington**

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD <b>N/A</b>		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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## 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.



<b>CWRE NAME</b> <b>Theodore R. Ressler</b>	<b>PHONE NO.</b> <b>503-701-4535</b>	<b>ADDITIONAL CONTACT NO.</b>
<b>ADDRESS</b> <b>Summit Water Resources, LLC; 4784 SE 17th Avenue, Suite 111</b>		
<b>CITY</b> <b>Portland</b>	<b>STATE</b> <b>OR</b>	<b>ZIP</b> <b>97202</b>
<b>E-MAIL</b> <b>tressler@summitwr.com</b>		

#### Permit Holder's of Record Signature or Acknowledgement

**Each** permit or 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
	Jeroen Kok	Senior Parks & Recreation Manager	11/17/2023



### SECTION 3 CLAIM DESCRIPTION

**1. Reservoir source and, if from surface water, the tributary:**

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
Oak Island Marsh and Ash Slough (at Jackson Bottom Wetlands Preserve)	Runoff	Jackson Slough

**2. Developed use(s), period of use, and acre foot (af) for each use:**

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
Oak Island Marsh and Ash Slough	Multiple Purpose	11/1 to 5/31	10.7
Total Quantity of Water Stored			10.7

**3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the reservoir:**

The design includes perimeter berms and dividing levees for impounding and controlling water in the Oak Island Marsh and Ash Slough facility. The dividing levees have a 24-inch diameter outlet equipped with an in-line water control structure with removable stop logs. The lowermost levee functions as the ultimate water control structure for impounding water in the facility (i.e., the point of diversion for the permit).

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

**4. Variations:**

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

**NO**

(e.g. "The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

**5. Claim Summary:**

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
Oak Island Marsh and Ash Slough	10.7	10.7

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## SECTION 4

### SYSTEM DESCRIPTION

Are there multiple reservoirs?

**NO**

If "YES" you will need to copy and complete Sections A through E for each reservoir.

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

#### A. Reservoir Location

1. Is the reservoir on-channel?

**NO**

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
1 S	2 W	WM	6	SWSE	--	42	Outlet. Located 607 feet north and 3409 feet east from SW corner of Section 6

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), and Quarter-Quarters (QQ).

#### B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

**NO**

If "NO" items 2 through item 5 may be deleted.

#### C. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

**YES**

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

2. Complete the table: (Listed specifications are based on design; refer to Item E, Number 7)

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
24-inch	HDPE	145	0.1 ft	30 ft	0.0033	17.8 cfs

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### 3. Provide calculations:

#### Hazen-Williams Formula

$$V = 1.318 \times Ch \times R^{0.63} \times S^{0.54}$$

V = velocity (ft/s)

Ch = Hazen-Williams friction coefficient

R = hydraulic radius (ft) = cross-sectional area of flow ÷ wetted perimeter

S = slope

$$\text{Flow (Q)} = V \times A$$

A = cross-sectional area of flow

$$A = \pi \times (24/2)^2 = 452.4 \text{ in}^2 = 3.14 \text{ ft}^2$$

$$\text{Wetted perimeter} = 2\pi \times (24/2) = 75.40 \text{ in} = 6.28 \text{ ft}$$

$$Q = [1.318 \times 145 \times (3.14/6.28)^{0.63} \times 0.0033^{0.54}] \times 3.14 = \underline{17.8 \text{ cfs}}$$

**Note: The calculated theoretical flow rate assumes full pipe flow. The flow through the pipe is controlled by stop logs in the outlet control structure.**

### 4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
N/A -no measurement made			

Attach measurement notes.

### D. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

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

### E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted.

If "NO", skip items 2; answer items 3 through 8.

### 2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
N/A			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
1.0 ft	0.54 ft	19.8 acres	10.7 AF

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4. Provide reservoir volume calculations:

Refer to storage table provided in Attachment 3.

5. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE
8 to 12 ft	5 ft	50 ft	50 ft	1.0 ft	10:1	10:1
8 to 12 ft	5.4 ft	54 ft	54 ft	1.0 ft	10:1	10:1

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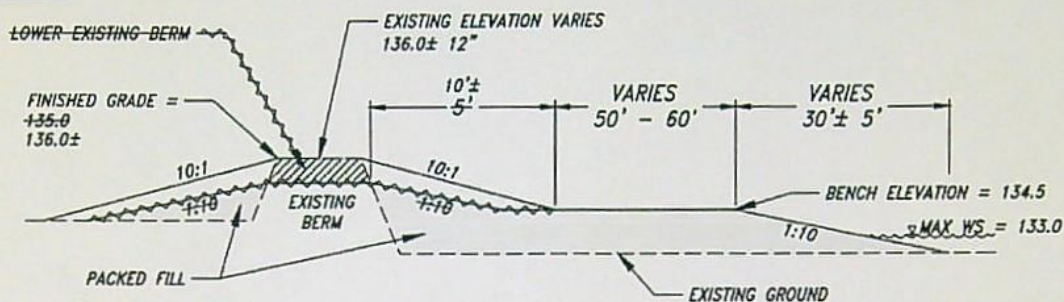
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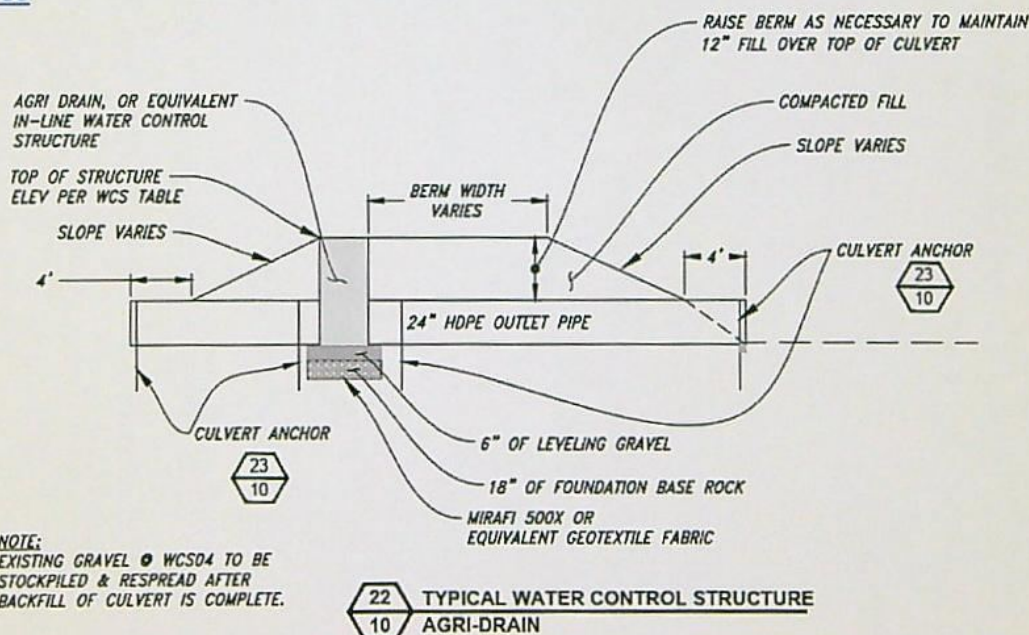
6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

The design includes perimeter berms and dividing levees for impounding and controlling water in the Oak Island Marsh and Ash Slough facility. The dividing levees have a 24-inch diameter outlet equipped with an in-line water control structure with removable stop logs. The lowermost levee functions as the ultimate water control structure for impounding water in the facility (i.e., the point of diversion for the permit).

### Perimeter Berm



### Dividing Levee

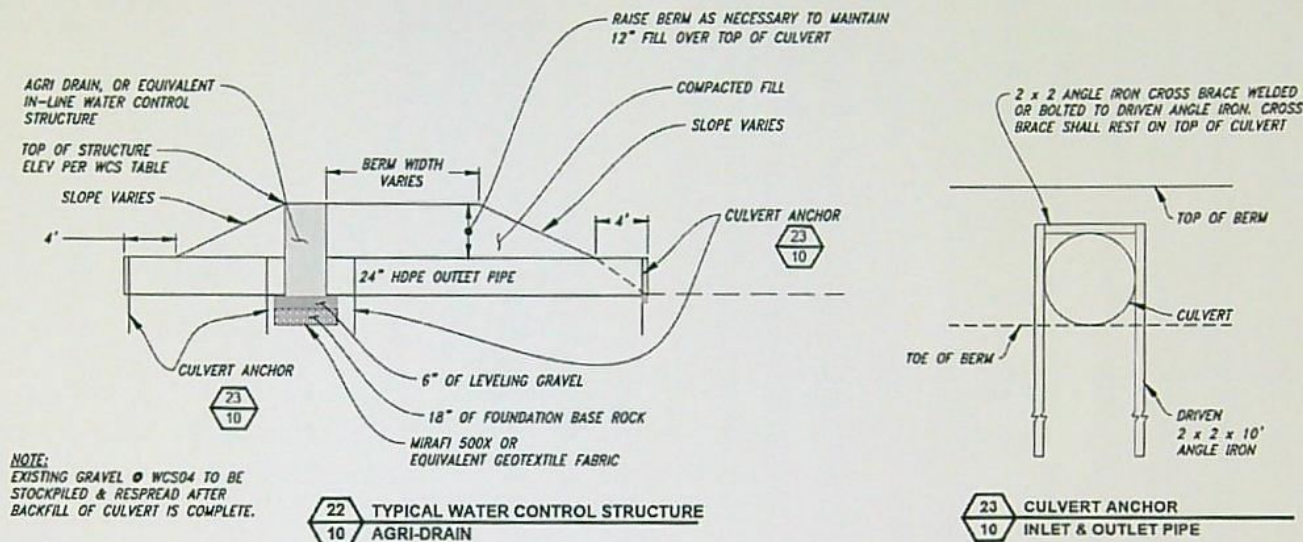




7. Describe the outlet works (size and type of the outlet conduit and location):

Each of the two levees are equipped with a 24-inch diameter outlet equipped with an in-line water control structure with removable stop logs, which allow release of water progressively down gradient through the wetland. The location of the Water Control Structures (WCS) are shown on the COBU map.

Water Control Structure with Stop Logs



**WATER CONTROL STRUCTURE TABLE**

WCS	WIDTH (in)	DEPTH (in)	H (ft)	STRUCTURE INVERT	INLET PIPE LENGTH (ft)	OUTLET PIPE LENGTH (ft)	PIPE DIAMETER (in)	INLET INVERT	OUTLET INVERT	TOP BOARD ELEVATION (FULL POOL)	TOP OF STRUCTURE ELEVATION	TOP OF BERM WIDTH (ft)	TOP OF BERM ELEVATION
1	31	39	2.5	130.8	20 -16-	20 -16-	24	131	131	133	133.3	6	134
2	31	39	2.5	129.8	10	30	24	-129-129.6	-129-129.6	132	132.3	10±2"	133

8. Describe the emergency spillway (dimensions and location):

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
The is no emergency spillway per se. The dividing levees are designed to be overtopped during high flow conditions, allowing water to move downgradient through the wetland facility toward the planned point of discharge (Tualatin River).		



## SECTION 5 CONDITIONS

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

### 1. Time Limits:

Permits and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	9/10/2018		
BEGIN CONSTRUCTION (A)	9/10/2023	Prior to 9/10/2023	Construction of wetlands was initiated.
COMPLETE CONSTRUCTION (B)	Not specified	N/A	N/A
COMPLETE APPLICATION OF WATER (C)	9/10/2023	2019	Storage of the entire permit authorized volume.

\* must be within period between permit or any extension final order issuance and the date to completely apply water

### 2. Is there an extension final order(s)?

NO

### 3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? YES

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 or appropriation.

b. Has a meter been installed?

NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
N/A					

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

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

YES

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e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
Refer to permit – the permit requires the installation of a staff gage		

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Staff gage	Working	2018

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? YES

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted? YES  
(WUR 67916)

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

5. Outlet Pipe

a. Is the water user required to install a minimum 8" outlet pipe/conduit? YES

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

b. Has the outlet pipe been installed? YES

If "YES", items c relating to this section may be deleted.

6. Fish Screening

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

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

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

7. 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? NO  
(refer to ODFW correspondence in Attachment 4)

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

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

8. Other conditions required by permit, permit amendment final order, or extension final order

a. Was the water user required to restore the riparian area if it was disturbed? YES

b. Was a fishway required? NO

c. Was submittal of a letter from an engineer required prior to storage of water? NO

d. Was submittal of a water management and conservation plan required? NO



e. Other conditions?

NO

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

**8(a) The riparian habitat is improved by the development of the wetland associated with this water right, which is part of the Jackson Bottom Wetland Preserve.**

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## SECTION 6

### ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Attachment 1	Maps
Attachment 2	Water Right Information
Attachment 3	Storage Table for Reservoir
Attachment 4	ODFW correspondence

## 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 poly 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.

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 reservoir was visited during the site inspection. The location of the wetland berms and water control structures were documented during the site inspection. The extent of the reservoir pool is based on the record drawings for the reservoir, staff gage readings made by the water right holder, and aerial imagery acquired prior to the completion date of the permit. The Claim of Beneficial Use map was created using Geographic Information System (GIS) software and spatial datasets obtained from Bureau of Land Management (BLM), ESRI, Oregon Water Resources Department (OWRD), and United States Geological Survey (USGS). Additional data and information specific to the storage of water under the permit described in this Claim of Beneficial Use report were obtained from the water right holder.

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## 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
- NA** If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- NA** 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
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ 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

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**Attachment 1**  
**Maps**

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Claim of Beneficial Use for Permit R-15347

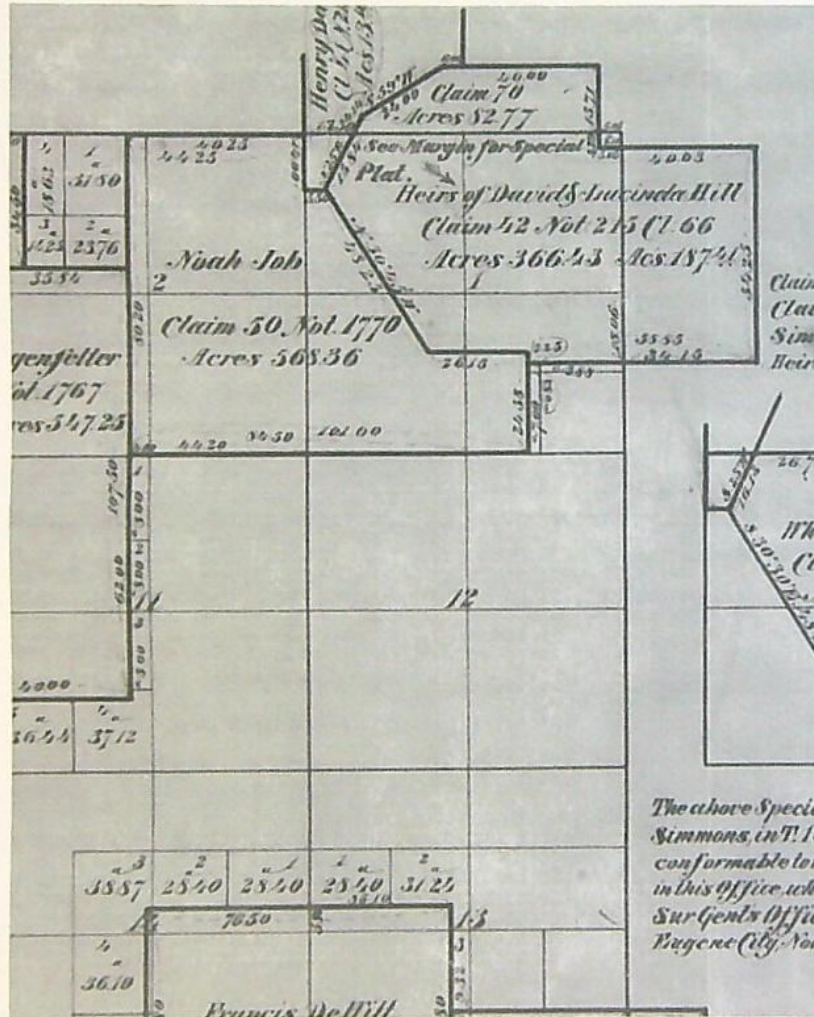
City of Hillsboro



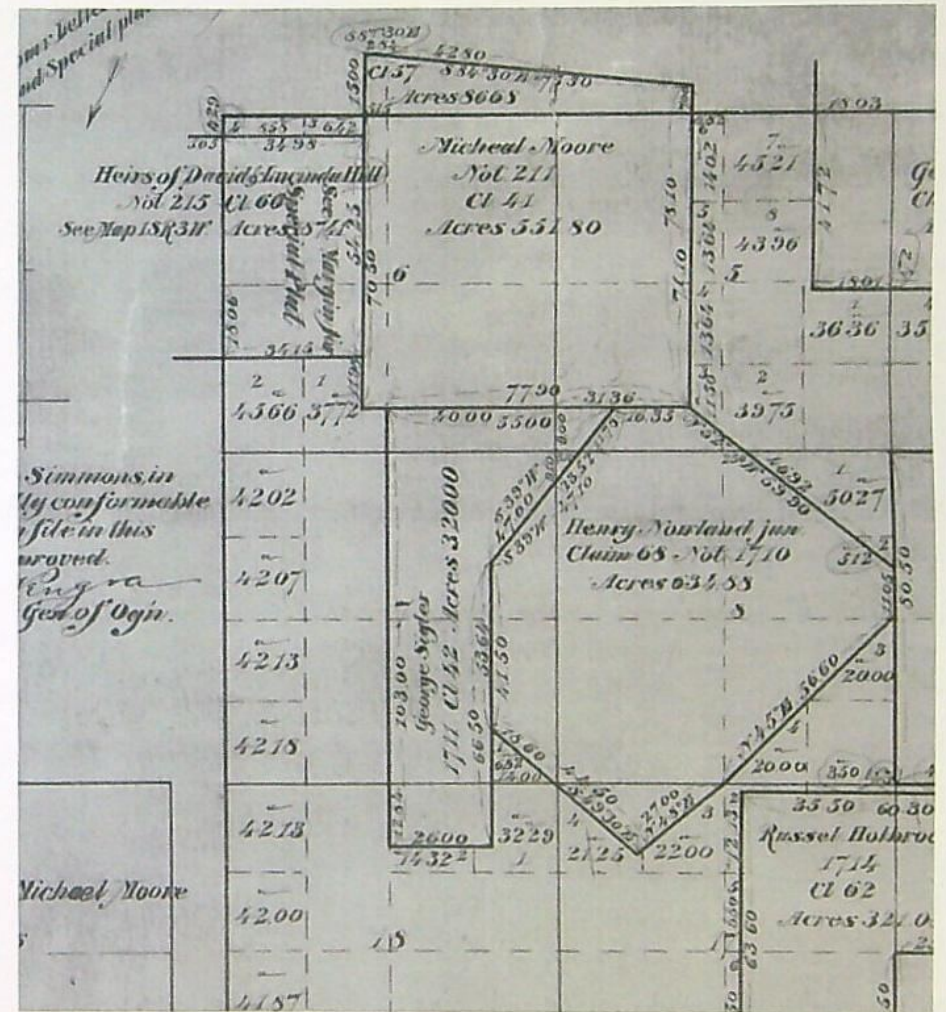
Portion of Cadastral Survey Record

<https://www.blm.gov/or/landrecords/survey/ySrvy1.php>

Township 1 South, Range 3 West



Township 1 South, Range 2 West



Claim of Beneficial Use for Permit R-15347

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**Attachment 2**  
**Water Right Information**

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Claim of Beneficial Use for Permit R-15347

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City of Hillsboro



STATE OF OREGON  
COUNTY OF WASHINGTON  
PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

CITY OF HILLSBORO  
4400 NW 229TH AVE  
HILLSBORO OR 97124

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-88582

SOURCE OF WATER: RUNOFF, TRIBUTARY TO UNNAMED STREAM

STORAGE FACILITY: OAK ISLAND AND ASH SLOUGH AT JACKSON BOTTOM WETLANDS PRESERVE

MAXIMUM VOLUME: 10.7 ACRE-FEET

DAM HEIGHT: NOT TO EXCEED 9.0 FEET

DATE OF PRIORITY: MAY 16, 2018

WATER MAY BE APPROPRIATED AS FOLLOWS: NOVEMBER 1 THROUGH MAY 31

USE: MULTIPLE PURPOSE

**Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	2 W	WM	6	SW SE	607 FEET NORTH AND 3409 FEET EAST FROM SW CORNER, SECTION 6

**The Area To Be Submerged:**

Twp	Rng	Mer	Sec	Q-Q
1 S	2 W	WM	6	SE NW
1 S	2 W	WM	6	NE SW
1 S	2 W	WM	6	NW SW
1 S	2 W	WM	6	NW SE
1 S	2 W	WM	6	SW SE

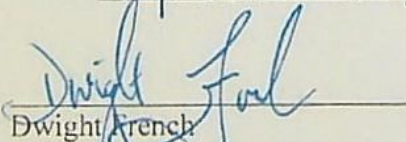
**1. Measurement Devices and Recording/Reporting of Annual Water Storage Conditions:**

- A. Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.



4. 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.
5. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.
6. The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
7. If the volume of the completed reservoir is 9.2 acre feet or more and a dam is used to impound the water, the height of the dam shall be less than 10.0 feet.
8. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
9. The permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
10. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
11. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
12. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
  - a. the dimensions of the reservoir;
  - b. the maximum capacity of the reservoir in acre-feet; and
  - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued September 10<sup>th</sup>, 2018



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

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**Attachment 3**  
**Storage Table for Reservoir**

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Claim of Beneficial Use for Permit R-15347

City of Hillsboro

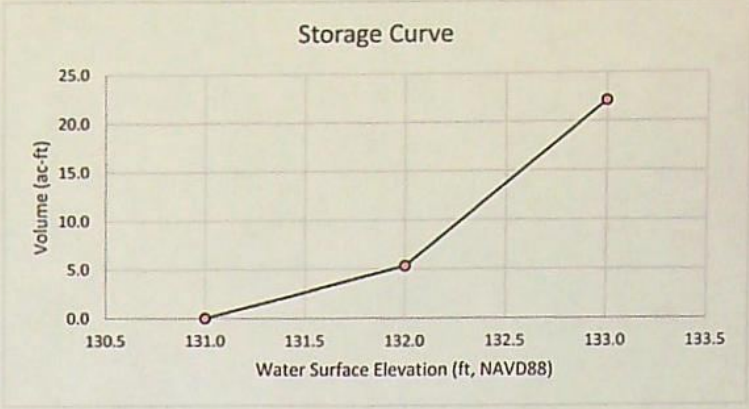


Oak Island

Water Surface Elevation (ft, NAVD88)	Surface Area (ac)	Storage Volume (ac-ft)
131.0	0.2	0.0
132.0	10.4	5.3
133.0	23.1	22.1

Full pool design WSELEV = 133.0

Notes:  
1. Storage table from Sheet 10A of Record Drawings for Jackson Bottom Phase II dated Nov 2017  
2. Gage location in Oregon Coordinate Reference System - Portland Zone



Gauge 21		
Northing	167707.6	
Easting	266973.0	
Staff Gage (ft)	Elevation (ft, NAVD88)	Storage Volume (ac-ft)
0	131.22	1.2
0.1	131.32	1.7
0.2	131.42	2.2
0.3	131.52	2.8
0.4	131.62	3.3
0.5	131.72	3.8
0.6	131.82	4.3
0.7	131.92	4.9
0.8	132.02	5.6
0.9	132.12	7.3
1	132.22	9.0
1.1	132.32	10.7
1.2	132.42	12.4
1.3	132.52	14.0
1.4	132.62	15.7
1.5	132.72	17.4
1.6	132.82	19.1
1.7	132.92	20.8
1.8	133.02	
1.9	133.12	
2	133.22	
2.1	133.32	
2.2	133.42	
2.3	133.52	
2.4	133.62	
2.5	133.72	
2.6	133.82	
2.7	133.92	
2.8	134.02	
2.9	134.12	
3	134.22	
3.1	134.32	
3.2	134.42	
3.3	134.52	
3.4	134.62	
3.5	134.72	
3.6	134.82	
3.7	134.92	
3.8	135.02	
3.9	135.12	
4	135.22	
4.1	135.32	
4.2	135.42	
4.3	135.52	
4.4	135.62	
4.5	135.72	
4.6	135.82	
4.7	135.92	
4.8	136.02	
4.9	136.12	
5	136.22	
5.1	136.32	
5.2	136.42	
5.3	136.52	
5.4	136.62	
5.5	136.72	
5.6	136.82	
5.7	136.92	
5.8	137.02	
5.9	137.12	
6	137.22	
6.1	137.32	
6.2	137.42	
6.3	137.52	
6.4	137.62	
6.5	137.72	
6.6	137.82	

Gauge 30		
Northing	167840.0	
Easting	267262.9	
Staff Gage (ft)	Elevation (ft, NAVD88)	Storage Volume (ac-ft)
0	130.10	
0.1	130.20	
0.2	130.30	
0.3	130.40	
0.4	130.50	
0.5	130.60	
0.6	130.70	
0.7	130.80	
0.8	130.90	
0.9	131.00	0.0
1	131.10	0.5
1.1	131.20	1.1
1.2	131.30	1.6
1.3	131.40	2.1
1.4	131.50	2.6
1.5	131.60	3.2
1.6	131.70	3.7
1.7	131.80	4.2
1.8	131.90	4.8
1.9	132.00	5.3
2	132.10	7.0
2.1	132.20	8.7
2.2	132.30	10.3
2.3	132.40	12.0
2.4	132.50	13.7
2.5	132.60	15.4
2.6	132.70	17.1
2.7	132.80	18.7
2.8	132.90	20.4
2.9	133.00	22.1
3	133.10	
3.1	133.20	
3.2	133.30	
3.3	133.40	
3.4	133.50	
3.5	133.60	
3.6	133.70	
3.7	133.80	
3.8	133.90	
3.9	134.00	
4	134.10	
4.1	134.20	
4.2	134.30	
4.3	134.40	
4.4	134.50	
4.5	134.60	
4.6	134.70	
4.7	134.80	
4.8	134.90	
4.9	135.00	
5	135.10	
5.1	135.20	
5.2	135.30	
5.3	135.40	
5.4	135.50	
5.5	135.60	
5.6	135.70	
5.7	135.80	
5.8	135.90	
5.9	136.00	
6	136.10	
6.1	136.20	
6.2	136.30	
6.3	136.40	
6.4	136.50	
6.5	136.60	
6.6	136.70	

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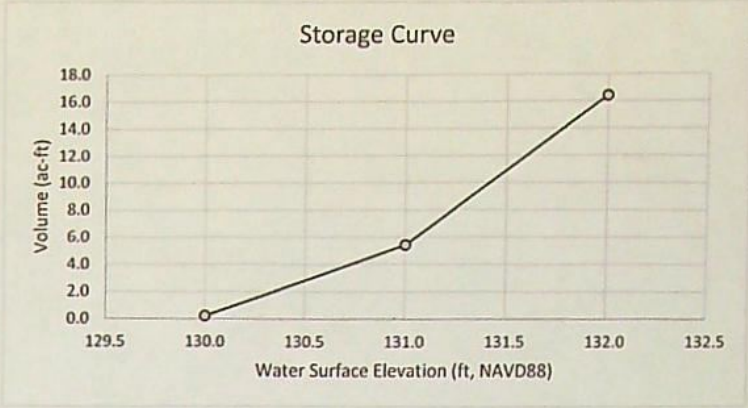


Ash Slough

Water Surface Elevation (ft, NAVD88)	Surface Area (ac)	Storage Volume (ac-ft)
130.0	0.9	0.2
131.0	9.4	5.4
132.0	12.5	16.4

Full pool design WSELEV = 132.0

Notes:  
1. Storage table from Sheet 10A of Record Drawings for Jackson Bottom Phase II dated Nov 2017  
2. Gage location in Oregon Coordinate Reference System - Portland Zone



Gauge 24		
Northing	166797.3	
Easting	269677.1	
Staff Gage (ft)	Elevation (ft, NAVD88)	Storage Volume (ac-ft)
0	130.00	0.2
0.1	130.10	0.7
0.2	130.20	1.2
0.3	130.30	1.8
0.4	130.40	2.3
0.5	130.50	2.8
0.6	130.60	3.3
0.7	130.70	3.8
0.8	130.80	4.4
0.9	130.90	4.9
1	131.00	5.4
1.1	131.10	6.5
1.2	131.20	7.6
1.3	131.30	8.7
1.4	131.40	9.8
1.5	131.50	10.9
1.6	131.60	12.0
1.7	131.70	13.1
1.8	131.80	14.2
1.9	131.90	15.3
2	132.00	16.4
2.1	132.10	
2.2	132.20	
2.3	132.30	
2.4	132.40	
2.5	132.50	
2.6	132.60	
2.7	132.70	
2.8	132.80	
2.9	132.90	
3	133.00	
3.1	133.10	
3.2	133.20	
3.3	133.30	
3.4	133.40	
3.5	133.50	
3.6	133.60	
3.7	133.70	
3.8	133.80	
3.9	133.90	
4	134.00	
4.1	134.10	
4.2	134.20	
4.3	134.30	
4.4	134.40	
4.5	134.50	
4.6	134.60	
4.7	134.70	
4.8	134.80	
4.9	134.90	
5	135.00	
5.1	135.10	
5.2	135.20	
5.3	135.30	
5.4	135.40	
5.5	135.50	
5.6	135.60	
5.7	135.70	
5.8	135.80	
5.9	135.90	
6	136.00	
6.1	136.10	
6.2	136.20	
6.3	136.30	
6.4	136.40	
6.5	136.50	
6.6	136.60	

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**Attachment 4**  
**ODFW correspondence**

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Claim of Beneficial Use for Permit R-15347

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City of Hillsboro



# ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: City of Hillsboro Parks and Recreational Department

Attn: Jeroen Kok 503-681-6120

Reservoir Name: Oak Island Marsh and Ash Slough Source: Runoff Volume (AF): 22

Twp Rng Sec QQ: T1S, R2W, Sec 6, SENW, N1/2SW, NWSE, SWSE Basin Name: Tualatin ☐ in-channel ☒ off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

- 1) Is the proposed project and AO<sup>1</sup> off channel? ..... ☒ YES ☐ NO  
(if yes then proceed to #4; if no then proceed to #2)
- 2) Is the proposed project or AO located where NMF<sup>2</sup> are or were historically present? ..... ☐ YES ☐ NO  
(if yes then proceed to #3; if no then proceed to #4)
- 3) If NMF are or were historically present:
- a. Is there an ODFW-approved fish-passage plan? ..... ☐ YES ☐ NO
  - b. Is there an ODFW-approved fish-passage waiver or exemption? ..... ☐ YES ☐ NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

- 4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream? ..... ☐ YES ☒ NO  
*Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)*

- ☐ Any diversion or appropriation of water for storage during the period \_\_\_\_\_ through \_\_\_\_\_ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.
- ☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

ODFW concludes that though OAK ISLAND MARSH and ASH SLOUGH are in the Tualatin RIVER floodplain and subject to

<sup>1</sup> AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

<sup>2</sup> NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

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inundation every winter, that the levees and impoundments are constructed to allow water to drain towards the Tualatin River. This design allows any NMF or ESA fish that enters the impounded reaches of this floodplain to outmigrate as the flows drop in the Tualatin. ODFW approved of the design and outmigrant Channel in 2017.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

☐ NO (explain)

☐ YES (select from Menu of Conditions on next page)

ODFW Signature: Tom Murtagh

Print Name: Tom Murtagh

ODFW Title: Dist Fish Biologist

Date: 4-20-2018

NOTE: This completed form must be returned to the applicant.



## Ted Ressler

---

**From:** Tom Murtagh <tom.murtagh@state.or.us>  
**Sent:** Wednesday, July 01, 2015 4:17 PM  
**To:** Ted Ressler  
**Subject:** Jackson Bottom Wetlands Preserve and Permit R-14953

Hi Ted – Pursuant to our conversation by phone today, and the materials provided in regards to Permit R-14953 for the purposes of impounding water at the Jackson Bottom Wetlands Preserve, ODFW waives the need for both fish passage and screening in association with any structure or feature constructed at this location. **The project improves native habitat and vegetation performance, improves floodplain function, and benefits a suite of native wildlife species and certain fish.** As designed and built, the project does not hinder native fish migration and will not entrap native migratory fish after flooding events subside. ODFW approves the project as it was designed and currently functions, and waives any need for the owner or operator under Permit R-14953 to provide fish passage or screening. I appreciate the opportunity to comment, and please feel free to contact me for additional information or input if needed. Thanks. Tom.

Tom Murtagh  
District Fish Biologist  
ODFW – Clackamas  
W – 971.673.6044  
C – 971.678.4871

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November 20, 2023

Mr. Gerry Clark  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271

**Subject:** Claim of Beneficial Use for Permit R-15347 (Application R-88582)

Mr. Clark:

On behalf of the permittee, please find enclosed Claim of Beneficial Use (COBU) report for Permit R-15347 accompanied by a check in the amount of \$230 for payment of the COBU submittal fee. Please do not hesitate to contact me at 503-967-7050 x204 with questions about the enclosed COBU.

Respectfully submitted,

Theodore Ressler, RG, CWRE  
Summit Water Resources LLC.

Enclosures:

Claim of Beneficial Use for Permit R-15347  
Check #79834 in the amount of \$230

Cc: Laura Trunk – Parks and Recreation Department, City of Hillsboro

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# Mailing List for FO

Scheduled Mailing Date:

Application: R-88582

Permit: R-15347

**Original mailed to Applicant:**

CITY OF HILLSBORO  
PARKS AND RECREATION DEPARTMENT  
4400 NW 229TH AVE  
HILLSBORO, OR 97214

Copies Mailed	
by:	<u>TM</u>
	(STAFF)
on:	<u>9/10/18</u>
	(DATE)

**Copies of FO and map sent to:**

1. File R-88582
2. WRD – SW Section
3. WRD - Watermaster District 18, Jacob W. Constans

**Copies of FO sent to other interested persons (CWRE, Agent, Commenter, etc.):**

1. Tualatin Valley Irrigation District, 2330 Elm St., Forest Grove, OR 97116
2. Agent – Ted Ressler – [tressler@gsiws.com](mailto:tressler@gsiws.com)

Specialist: Kim French



STATE OF OREGON  
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 126656

INVOICE #

RECEIVED FROM: City of Hillsboro

APPLICATION R-88582

BY:

PERMIT

CASH: CHECK: # OTHER: (IDENTIFY)

TRANSFER

273729

TOTAL REC'D \$ 1,315.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$

OTHER: (IDENTIFY) \$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) \$

TC162 DEPOSIT LIAB. (IDENTIFY) \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ 795.00 0202 RECORD FEE \$ 320.00

0203 GROUND WATER \$ 0204 \$

0205 TRANSFER \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ 0219 LICENSE FEE \$

LANDOWNER'S PERMIT

OTHER (IDENTIFY) 0220 \$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD #

0210 MONITORING WELLS \$ CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$

0231 HYDRO LICENSE FEE (FW/WRD) \$

HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 126656

DATED: 5/10/18 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

City of Hillsboro, OR 97123

Check Number: 00273729

Invoice Date	Invoice Number	GL Account Number	Invoice Description	Net Invoice Amount
05/03/2018	WTR STORAGE RIGHTS	10014200 6101	OAK ISLAND MARSH	1,315.00
Vendor No. 11101 Vendor Name OREGON WATER RESOURCES DEPARTMENT Check No. 00273729 Check Date 05/10/2018 Check Amount 1,315.00				



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON

Water Right Application R-88582 in the )  
name of CITY OF HILLSBORO )

FINAL ORDER  
APPROVING THE STORAGE OF  
SURFACE WATER

**Authority**

Oregon Revised Statute (ORS) 537.409 establishes the process by which an application to store waters of the public may be submitted.

**FINDINGS OF FACT**

1. On May 16, 2018, City of Hillsboro submitted an application for a permit to store water pursuant to ORS 537.409.

Storage Volume: 10.7 ACRE-FEET

Dam Height: 9.0 FEET

Source: RUNOFF, TRIBUTARY TO UNNAMED STREAM

Location: WASHINGTON COUNTY IN SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 WEST, W.M.

2. The required examination fees were paid and minimum application requirements were met.
3. The Department provided public notice of the application in the Department's weekly public notice on May 29, 2018. A 60-day comment period followed.
4. The Department has not received public comment related to the possible issuance of the attached permit.
5. The Department has determined that the proposed source has not been withdrawn from further appropriation.
6. The proposed reservoir is not prohibited under ORS 390.835.
7. Water is available for the proposed use according to the Department's water-availability model and the watermaster's assessment.

**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 536.075 and 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 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.

ORS 537.409 does not provide an opportunity to request a contested-case hearing. Appeal rights on this final order approving the application are limited to the above procedures.



8. The Department relies on the Oregon Department of Fish and Wildlife's review and recommendations in determining whether a proposed use would pose a significant detrimental impact to existing fishery resources. The Department has determined that, as conditioned, the proposed use will not pose a significant detrimental impact to existing fishery resources.

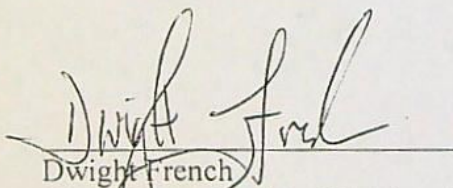
**CONCLUSIONS OF LAW**

1. Water is available for the proposed use.
2. The proposed use will not injure existing water rights.
3. The proposed use will not pose a significant detrimental impact to existing fishery resources.
4. Application R-88582 is consistent with the requirements of ORS 537.409.

**ORDER**

Application R-88582 is approved and Permit R-15347 is issued as limited by the conditions contained therein.

Dated at Salem, Oregon on September 10<sup>th</sup>, 2018



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

If you have questions about statements contained in this document, please contact Kim French at Kim.R.French@oregon.gov or 503-986-0816.

If you have other questions about the Department or any of its programs please contact our Water Resources Customer Service Group at 503-986-0801.





**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

## NOTICE TO PERMITTEE

Carefully review the appeal rights included on the first page of your final order. In some cases, if OWRD receives a request for reconsideration or petition for judicial review within 60 days of the date the final order was served, OWRD may take action to withdraw or modify the final order, or issue a final order denying your application.

**ASSIGNMENT OF PERMIT:** Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301.

**PERMIT CONDITION FORMS:** This permit may specify conditions that require you to submit a form to the Department. These forms are available from the Oregon Water Resources Department web site at <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>.

**REAL ESTATE TRANSACTIONS:** Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

**CULTURAL RESOURCES PROTECTION LAWS:** Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

For Question, please call our customer service desk at 503-986-0801.



STATE OF OREGON  
COUNTY OF WASHINGTON  
PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

CITY OF HILLSBORO  
4400 NW 229TH AVE  
HILLSBORO OR 97124

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-88582

SOURCE OF WATER: RUNOFF, TRIBUTARY TO UNNAMED STREAM

STORAGE FACILITY: OAK ISLAND AND ASH SLOUGH AT JACKSON BOTTOM WETLANDS PRESERVE

MAXIMUM VOLUME: 10.7 ACRE-FEET

DAM HEIGHT: NOT TO EXCEED 9.0 FEET

DATE OF PRIORITY: MAY 16, 2018

WATER MAY BE APPROPRIATED AS FOLLOWS: NOVEMBER 1 THROUGH MAY 31

USE: MULTIPLE PURPOSE

**Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	2 W	WM	6	SW SE	607 FEET NORTH AND 3409 FEET EAST FROM SW CORNER, SECTION 6

**The Area To Be Submerged:**

Twp	Rng	Mer	Sec	Q-Q
1 S	2 W	WM	6	SE NW
1 S	2 W	WM	6	NE SW
1 S	2 W	WM	6	NW SW
1 S	2 W	WM	6	NW SE
1 S	2 W	WM	6	SW SE

**1. Measurement Devices and Recording/Reporting of Annual Water Storage Conditions:**

- A. Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.



- C. The permittee shall keep a complete record of the volume of water stored each month, and shall submit a report which includes water-storage measurements to the Department annually (or more frequently as may be required by the Director). Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
  - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
- 2. The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.
  - 3. The permittee shall pass all live flow outside the storage season described above.
  - 4. The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.
  - 5. The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.
  - 6. The permittee may be required in the future to install, maintain, and operate fish-screening devices to prevent fish from entering the proposed diversion.
  - 7. This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

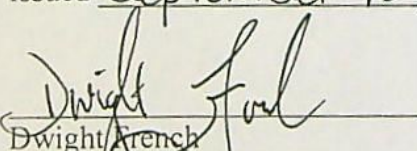
#### STANDARD CONDITIONS

- 1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
- 2. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
- 3. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.



4. 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.
5. If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, shall be followed.
6. The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
7. If the volume of the completed reservoir is 9.2 acre feet or more and a dam is used to impound the water, the height of the dam shall be less than 10.0 feet.
8. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
9. The permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
10. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
11. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.
12. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
  - a. the dimensions of the reservoir;
  - b. the maximum capacity of the reservoir in acre-feet; and
  - c. a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued September 10<sup>th</sup>, 2018



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



# Application for a Water Right Permit in the Name of the City of Hillsboro

Washington County

Township 1 South, Range 2 West (W.M.)

## LEGEND

- ⊙ Point of Diversion (POD)
- ⊗ Water Control Structure (WCS)
- ⊕ Place of Use (POU)
- All Other Features
  - Tax Lot
  - ▭ Hillsboro City Limits
  - ~ Watercourse

RECEIVED

MAY 16 2018

OWRD

## POD LOCATION DESCRIPTION

OUTLET (WCS 2): Located 607 feet North and 3409 feet East from the SW corner of Section 6, Township 1 South, Range 2 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.



0 200 400 600  
1 inch = 400 feet

## NOTES

Date: May 1, 2018  
Data Sources: BLM, ESRI, Washington Co., USGS



Document Path: P:\Portland\254 - Joint Water Commission\024-WD16 T4 Jackson Bottom\Project\_GIS\Project\_mxd\Oak\_Island\_Marsh.mxd

12-88582  
R-15347



# ORS 537.409 ALTERNATE RESERVOIR CHECKLIST

FILE #: R-88582

WM DIST: 18

PUBLIC NOTICE: 5/29/18

Res name: OAK ISLAND & ASH SLUGGHC JACKSON BOTTOM WETLANDS PRESERVE Use: mp

Volume: 10.7 AF Dam height: ☐ zero ☒ 9.0 ft

☒ Land use ☒ allowed outright ☐ not approved ☐ being pursued ☐ county notified ☐ needed ☐ NA

☒ SWW ☒ Out ☐ In (may not be allowed) ☐ Above\*

\*Make sure to add SWW language from S:\groups\wr\Resource Center\language\Scenic Waterway gages-language

☒ Electronic/written comments? ☒ No ☐ Yes Comment eval? ☐ N/A ☐ No ☐ Yes

☒ App w/in a District boundary ☐ No ☐ Yes, cc:

☒ In Umatilla ☒ No ☐ Yes - cc: Confederated Tribes of the Umatilla Indian Reservation, Nixyaawii Governance Center  
46411 Timine Way, Pendleton, Oregon 97801

Water available: NOV - MAY

Allowed season: JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

Measurement Conditions: ☐ Small ( $\leq 9.2$  af) ☒ Medium ( $> 9.2$ , but  $< 100$  af) ☒ Large ( $\geq 100$  af or govt. entity)  
\*use ☐ staff gage if source is runoff or if res is in-channel

Other Conditions: use ☒ fishmay if ODFW doesn't request screen/by-pass condition

☒ Fees Paid? ☐ Yes ☐ No, need:

Base (\$410) 410 Recording Fee (\$520) 520

AF (\$35 per af) 385

Total Exam Fees 795

Exam Fees Paid 795 Recording Fee Paid 520

☒ FO w/ permit # R-15347

☐ FO w/ draft permit; still needed:

☐ fees  
☐ easement  
☐ land use

Remarks: TVID → INCLUDE ON MAILING LIST

Completed by Kim R. French Date: 8/1/18 Peer review: Lisa G. 8-14-18

alyssa 6/20/18

Revised 3/30/18





Oregon Water Resources Department  
Point of Diversion Characteristics

[Main](#) [Help](#)  
[Return](#) [Contact Us](#)

## Point of Diversion Characteristics

Right:	App: R 88582 *
Name:	CITY OF HILLSBORO; PARKS AND RECREATION DEPARTMENT

TRSQQ: 01.00S-02.00W-05-SWSE

County: Washington

Basin: Willamette

WM District: 18

WM Region: NW

Withdrawn Area:

WAB: ROCK CR > TUALATIN R - AT MOUTH (73545)

Priority WAB: ROCK CR @ mouth (OWRD: Fair, ODFW: High) (73545)

Rule 4D: Rules apply

Groundwater Restricted Area:

Scenic Water Way:

Division 33: LOWER COLUMBIA

Water Quality Limited:





Oregon Water Resources Department  
Water Rights with Coincident Places of Use

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## Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App: R 88582 \*

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
<u>CERT:56399 OR *</u>	OREGON ROSES INC.	G-5670	G-4983	56399	11/19/1971	NC	<del>IS</del>	IS	01.00S-02.00W-06-SWSE		41	0.1000
							<del>IS</del>	IS	01.00S-02.00W-06-NWSE		41	0.6000
<u>PERMIT: R 15295 *</u>	CITY OF HILLSBORO	R-88419	R-15295		6/15/2017	NC	<del>MP</del>	MP	01.00S-02.00W-06-NESW			
<u>CERT:12233 OR *</u>	J H FREUDENTHAL	S-14435	S-10464	12233	1/11/1932	NC	<del>IR</del>	IR	01.00S-02.00W-06-SWSE		42	10.0000
<u>CERT:38313 (RR) *</u>	E.H. FREUDENTHAL	S-25611	S-20093	38313	2/1/1951	NC	<del>IR</del>	IR	01.00S-02.00W-06-SWSE		42	5.5000
<u>CERT:56398 OR *</u>	OREGON ROSES INC.	S-48861	S-35927	56398	11/19/1971	NC	<del>IR</del>	IR	01.00S-02.00W-06-SWSE		41	0.1000
							<del>IR</del>	IR	01.00S-02.00W-06-NWSE		41	0.6000
<u>CERT:83206 OR *</u>	COUNTY OF WASHINGTON; UNIFIED SEWERAGE AGENCY	S-63318	S-46641	83206	2/23/1981	NC	<del>IR</del>	IR	01.00S-02.00W-06-SENW		66	7.9000
							<del>IR</del>	IR	01.00S-02.00W-06-NWSW		66	36.0000
							<del>IR</del>	IR	01.00S-02.00W-06-NWSW		2	3.3000
							<del>IR</del>	IR	01.00S-02.00W-06-NESW		66	22.9000
							<del>IR</del>	IR	01.00S-02.00W-06-NESW		1	2.1000

NO  
CONFLICT





## Water Availability Analysis

ROCK CR > TUALATIN R - AT MOUTH  
 WILLAMETTE BASIN  
 Water Availability as of 8/9/2018

Watershed ID # 73545 ([Map](#))  
 Date: 8/9/2018

Exceedance Level 50%  
 Time 8:51 AM

[Download Data](#)

## Water Availability

Select any Watershed for Details

Nesting Order	Watershed ID #	Stream Name
1	181	WILLAMETTE R> COLUMBIA R - AT MOUTH
2	175	TUALATIN R> WILLAMETTE R - AT MOUTH
3	30201006	TUALATIN R> WILLAMETTE R - AT GAGE 14207500
4	30201013	TUALATIN R> WILLAMETTE R - AT GAGE 14206500
5	73545	ROCK CR> TUALATIN R - AT MOUTH

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	Yes	Yes	Yes

## Limiting Watersheds

Monthly Streamflow in Cubic Feet per Second  
 Annual Volume at 50% Exceedance in Acre-Feet

Month	Limiting Watershed ID #	Stream Name	Water Available?	Net Water Available
JAN	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	263.00
FEB	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	356.00
MAR	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	219.00
APR	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	118.00
MAY	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	28.20
JUN	175	TUALATIN R > WILLAMETTE R - AT MOUTH	No	-24.00
JUL	175	TUALATIN R > WILLAMETTE R - AT MOUTH	No	-181.00
AUG	175	TUALATIN R > WILLAMETTE R - AT MOUTH	No	-205.00
SEP	175	TUALATIN R > WILLAMETTE R - AT MOUTH	No	-140.00
OCT	30201013	TUALATIN R > WILLAMETTE R - AT GAGE 14206500	No	-96.10
NOV	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	12.40
DEC	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	259.00
ANN	73545	ROCK CR > TUALATIN R - AT MOUTH	Yes	77,200.00

## Detailed Reports for Watershed ID #181

WILLAMETTE R > COLUMBIA R - AT MOUTH  
 WILLAMETTE BASIN  
 Water Availability as of 8/9/2018

Watershed ID # 181 ([Map](#))  
 Date: 8/9/2018

Exceedance Level 50%  
 Time 8:51 AM

## Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second  
 Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	51,100.00	2,800.00	48,300.00	0.00	1,500.00	46,800.00



FEB	49,100.00	8,070.00	41,000.00	0.00	1,500.00	39,500.00
MAR	42,400.00	7,620.00	34,800.00	0.00	1,500.00	33,300.00
APR	36,400.00	7,230.00	29,200.00	0.00	1,500.00	27,700.00
MAY	28,300.00	4,440.00	23,900.00	0.00	1,500.00	22,400.00
JUN	15,800.00	2,340.00	13,500.00	0.00	1,500.00	12,000.00
JUL	7,980.00	2,290.00	5,690.00	0.00	1,500.00	4,190.00
AUG	5,530.00	2,040.00	3,490.00	0.00	1,500.00	1,990.00
SEP	5,740.00	1,670.00	4,070.00	0.00	1,500.00	2,570.00
OCT	8,390.00	714.00	7,680.00	0.00	1,500.00	6,180.00
NOV	24,400.00	1,060.00	23,300.00	0.00	1,500.00	21,800.00
DEC	52,800.00	1,450.00	51,300.00	0.00	1,500.00	49,800.00
ANN	19,700,000.00	2,500,000.00	17,200,000.00	0.00	1,090,000.00	16,100,000.00

## Detailed Report of Consumptive Uses and Storage

## Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	1,990.00	0.00	443.00	95.50	7.72	22.30	174.00	65.30	2,800.00
FEB	7,260.00	0.00	443.00	95.50	7.72	22.30	174.00	64.70	8,070.00
MAR	6,810.00	6.62	443.00	95.50	7.72	22.30	172.00	63.00	7,620.00
APR	6,390.00	43.30	443.00	95.50	7.72	22.30	168.00	62.90	7,230.00
MAY	3,440.00	313.00	439.00	95.50	7.57	22.30	88.30	41.20	4,440.00
JUN	443.00	606.00	1,050.00	95.50	7.41	22.30	79.90	39.20	2,340.00
JUL	14.30	1,030.00	1,040.00	95.00	7.40	22.30	43.70	31.90	2,290.00
AUG	2.15	812.00	1,030.00	94.00	7.40	22.30	43.40	31.90	2,040.00
SEP	0.86	400.00	1,040.00	95.50	7.40	22.30	68.70	35.50	1,670.00
OCT	0.65	28.70	436.00	95.50	7.41	22.30	69.80	54.00	714.00
NOV	276.00	0.00	443.00	95.50	7.71	22.30	154.00	62.10	1,060.00
DEC	642.00	0.00	443.00	95.50	7.72	22.30	175.00	65.20	1,450.00

## Detailed Report of Reservations for Storage and Consumptive Uses

## Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

## Detailed Report of Instream Flow Requirements

## Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF181A	APPLICATION	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Maximum		1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00

## Detailed Reports for Watershed ID #175

TUALATIN R > WILLAMETTE R - AT MOUTH  
WILLAMETTE BASIN

Water Availability as of 8/9/2018

Watershed ID # 175 ([Map](#))  
Date: 8/9/2018Exceedance Level: 50%  
Time: 8:51 AM

## Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second  
Annual Volume at 50% Exceedance in Acre-Feet



Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	3,340.00	486.00	2,850.00	0.00	250.00	2,600.00
FEB	3,320.00	546.00	2,770.00	0.00	250.00	2,520.00
MAR	2,350.00	406.00	1,940.00	0.00	250.00	1,690.00
APR	1,380.00	304.00	1,080.00	0.00	250.00	826.00
MAY	597.00	206.00	391.00	0.00	250.00	141.00
JUN	291.00	185.00	106.00	0.00	130.00	-24.00
JUL	147.00	228.00	-81.30	0.00	100.00	-181.00
AUG	90.90	196.00	-105.00	0.00	100.00	-205.00
SEP	104.00	150.00	-46.00	0.00	94.50	-140.00
OCT	116.00	74.10	41.90	0.00	100.00	-58.10
NOV	513.00	235.00	278.00	0.00	250.00	28.40
DEC	2,970.00	467.00	2,500.00	0.00	250.00	2,250.00
ANN	913,000.00	209,000.00	718,000.00	0.00	137,000.00	604,000.00

## Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	340.00	0.00	64.50	3.51	0.11	2.80	73.20	1.18	486.00
FEB	401.00	0.00	64.50	3.51	0.11	2.80	73.20	1.18	546.00
MAR	263.00	0.03	64.50	3.51	0.11	2.80	71.40	1.18	406.00
APR	160.00	0.59	64.50	3.51	0.11	2.80	71.40	1.17	304.00
MAY	56.10	75.30	64.50	3.51	0.11	2.80	3.37	0.19	206.00
JUN	0.00	95.10	83.80	0.50	0.11	2.80	2.45	0.19	185.00
JUL	0.00	136.00	83.80	3.51	0.10	2.80	2.38	0.19	228.00
AUG	0.00	115.00	72.60	3.51	0.10	2.80	2.27	0.19	196.00
SEP	0.00	57.20	83.80	3.51	0.10	2.80	2.32	0.19	150.00
OCT	0.53	0.02	64.50	3.51	0.10	2.80	2.45	0.19	74.10
NOV	106.00	0.00	64.50	3.51	0.10	2.80	57.60	0.19	235.00
DEC	322.00	0.00	64.50	3.51	0.11	2.80	73.20	1.17	467.00

## Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

## Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF174A	APPLICATION	30.00	30.00	30.00	30.00	30.00	20.00	20.00	15.00	15.00	30.00	30.00	30.00
MF175A	APPLICATION	250.00	250.00	250.00	250.00	250.00	130.00	40.00	30.00	25.00	90.00	250.00	250.00
IS73538A	CERTIFICATE	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	94.50	100.00	100.00	100.00
S86703B	PERMIT	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80
S86704C	PERMIT	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40
Maximum		250.00	250.00	250.00	250.00	250.00	130.00	100.00	100.00	94.50	100.00	250.00	250.00

## Detailed Reports for Watershed ID #30201006

TUALATIN R > WILLAMETTE R - AT GAGE 14207500  
WILLAMETTE BASIN

Water Availability as of 8/9/2018

Watershed ID # 30201006 ([Map](#))  
Date: 8/9/2018Exceedance Level: 50%  
Time: 8:51 AM



## Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second  
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	3,340.00	494.00	2,850.00	0.00	250.00	2,600.00
FEB	3,320.00	555.00	2,760.00	0.00	250.00	2,510.00
MAR	2,350.00	415.00	1,930.00	0.00	250.00	1,680.00
APR	1,380.00	313.00	1,070.00	0.00	250.00	817.00
MAY	596.00	205.00	391.00	0.00	250.00	141.00
JUN	291.00	185.00	106.00	0.00	130.00	-23.50
JUL	147.00	227.00	-79.80	0.00	100.00	-180.00
AUG	90.90	195.00	-104.00	0.00	100.00	-204.00
SEP	104.00	149.00	-44.80	0.00	94.50	-139.00
OCT	116.00	73.10	42.90	0.00	100.00	-57.10
NOV	512.00	244.00	268.00	0.00	250.00	18.30
DEC	2,970.00	476.00	2,490.00	0.00	250.00	2,240.00
ANN	913,000.00	212,000.00	715,000.00	0.00	137,000.00	600,000.00

## Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	340.00	0.00	64.50	2.59	0.11	2.64	83.50	1.18	494.00
FEB	401.00	0.00	64.50	2.59	0.11	2.64	83.50	1.18	555.00
MAR	263.00	0.03	64.50	2.59	0.11	2.64	81.70	1.18	415.00
APR	160.00	0.59	64.50	2.59	0.11	2.64	81.70	1.17	313.00
MAY	56.10	74.90	64.50	2.59	0.11	2.64	3.53	0.19	205.00
JUN	0.00	94.60	83.80	0.50	0.11	2.64	2.61	0.19	185.00
JUL	0.00	135.00	83.80	2.59	0.10	2.64	2.54	0.19	227.00
AUG	0.00	114.00	72.60	2.59	0.10	2.64	2.43	0.19	195.00
SEP	0.00	56.90	83.80	2.59	0.10	2.64	2.48	0.19	149.00
OCT	0.52	0.02	64.50	2.59	0.10	2.64	2.61	0.19	73.10
NOV	106.00	0.00	64.50	2.59	0.10	2.64	67.90	0.19	244.00
DEC	322.00	0.00	64.50	2.59	0.11	2.64	83.50	1.17	476.00

## Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

## Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF173A	CERTIFICATE	30.00	30.00	30.00	30.00	30.00	20.00	20.00	15.00	15.00	30.00	30.00	30.00
MF174B	APPLICATION	30.00	30.00	30.00	30.00	30.00	20.00	20.00	15.00	15.00	30.00	30.00	30.00
MF175B	APPLICATION	250.00	250.00	250.00	250.00	250.00	130.00	40.00	30.00	25.00	90.00	250.00	250.00
IS73538B	CERTIFICATE	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	94.50	100.00	100.00	100.00
S86703A	PERMIT	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80	2.80
S86704B	PERMIT	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40
Maximum		250.00	250.00	250.00	250.00	250.00	130.00	100.00	100.00	94.50	100.00	250.00	250.00

## Detailed Reports for Watershed ID #30201013



TUALATIN R &gt; WILLAMETTE R - AT GAGE 14206500

WILLAMETTE BASIN

Water Availability as of 8/9/2018

Watershed ID #: 30201013 ([Map](#))

Date: 8/9/2018

Exceedance Level: 50%

Time: 8:51 AM

## Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second  
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	2,460.00	509.00	1,950.00	0.00	100.00	1,850.00
FEB	3,040.00	573.00	2,470.00	0.00	100.00	2,370.00
MAR	1,980.00	433.00	1,550.00	0.00	100.00	1,450.00
APR	1,130.00	333.00	797.00	0.00	100.00	697.00
MAY	460.00	218.00	242.00	0.00	100.00	142.00
JUN	238.00	151.00	87.90	0.00	100.00	-12.10
JUL	118.00	183.00	-65.00	0.00	100.00	-165.00
AUG	78.50	141.00	-62.50	0.00	100.00	-163.00
SEP	86.00	121.00	-35.10	0.00	94.50	-130.00
OCT	106.00	102.00	3.85	0.00	100.00	-96.10
NOV	480.00	268.00	212.00	0.00	100.00	112.00
DEC	2,370.00	492.00	1,880.00	0.00	100.00	1,780.00
ANN	751,000.00	212,000.00	549,000.00	0.00	72,100.00	502,000.00

## Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	333.00	0.00	95.10	2.28	0.11	1.97	75.70	1.00	509.00
FEB	397.00	0.00	95.10	2.28	0.11	1.97	75.70	1.00	573.00
MAR	259.00	0.02	95.10	2.28	0.11	1.97	73.90	1.00	433.00
APR	158.00	0.55	95.10	2.28	0.11	1.97	73.90	1.00	333.00
MAY	55.90	59.50	95.10	2.28	0.11	1.97	3.08	0.02	218.00
JUN	0.00	75.10	69.50	2.28	0.11	1.97	2.17	0.02	151.00
JUL	0.00	107.00	69.50	2.28	0.10	1.97	2.17	0.02	183.00
AUG	0.00	90.50	44.50	2.28	0.10	1.97	2.06	0.02	141.00
SEP	0.00	45.10	69.50	2.28	0.10	1.97	2.11	0.02	121.00
OCT	0.49	0.02	95.10	2.28	0.10	1.97	2.17	0.02	102.00
NOV	106.00	0.00	95.10	2.28	0.10	1.97	62.60	0.02	268.00
DEC	316.00	0.00	95.10	2.28	0.11	1.97	75.70	1.00	492.00

## Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

## Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
IS73538C	CERTIFICATE	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	94.50	100.00	100.00	100.00
IS73539A	CERTIFICATE	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00	75.00
IS73540A	CERTIFICATE	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00



IS73541A	CERTIFICATE	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00
S86704A	PERMIT	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40	10.40
Maximum		100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	94.50	100.00	100.00	100.00

## Detailed Reports for Watershed ID #73545

ROCK CR &gt; TUALATIN R - AT MOUTH

WILLAMETTE BASIN

Water Availability as of 8/9/2018

Watershed ID # 73545 ([Map](#))

Date: 8/9/2018

Exceedance Level: 50%

Time: 8:51 AM

## Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second  
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	267.00	1.31	266.00	0.00	2.50	263.00
FEB	400.00	1.62	398.00	0.00	2.50	396.00
MAR	222.00	0.91	221.00	0.00	2.50	219.00
APR	121.00	0.73	120.00	0.00	2.50	118.00
MAY	33.50	2.84	30.70	0.00	2.50	28.20
JUN	17.20	3.52	13.70	0.00	2.50	11.20
JUL	7.56	4.93	2.63	0.00	2.50	0.13
AUG	4.78	4.22	0.56	0.00	2.50	-1.94
SEP	5.62	2.21	3.41	0.00	2.50	0.91
OCT	9.75	0.23	9.52	0.00	2.50	7.02
NOV	15.40	0.48	14.90	0.00	2.50	12.40
DEC	263.00	1.31	262.00	0.00	2.50	259.00
ANN	81,500.00	1,470.00	80,100.00	0.00	1,810.00	78,400.00

## Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	0.61	0.00	0.00	0.00	0.00	0.19	0.51	0.00	1.31
FEB	0.92	0.00	0.00	0.00	0.00	0.19	0.51	0.00	1.62
MAR	0.44	0.00	0.00	0.00	0.00	0.19	0.28	0.00	0.91
APR	0.24	0.02	0.00	0.00	0.00	0.19	0.28	0.00	0.73
MAY	0.01	2.61	0.00	0.00	0.00	0.19	0.03	0.00	2.84
JUN	0.00	3.30	0.00	0.00	0.00	0.19	0.03	0.00	3.52
JUL	0.00	4.71	0.00	0.00	0.00	0.19	0.03	0.00	4.93
AUG	0.00	4.00	0.00	0.00	0.00	0.19	0.03	0.00	4.22
SEP	0.00	1.99	0.00	0.00	0.00	0.19	0.03	0.00	2.21
OCT	0.01	0.00	0.00	0.00	0.00	0.19	0.03	0.00	0.23
NOV	0.03	0.00	0.00	0.00	0.00	0.19	0.26	0.00	0.48
DEC	0.61	0.00	0.00	0.00	0.00	0.19	0.51	0.00	1.31

## Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.



**Detailed Report of Instream Flow Requirements**

		Instream Flow Requirements in Cubic Feet per Second											
Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
IS73545A	CERTIFICATE	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50
Maximum		2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50



## Alternate Reservoir Application Completeness Checklist

This is the checklist used by WRD staff

Application R-88582 County Washington  
Priority Date 5/16/2018 Township 15 Range 2W Section 6 Taxlot 1000  
Use multipurpose / wetland enhancement Caseworker Kim French  
Amount (AF) 10.7 Af. Watermaster Jake Constans #20

### Minimum Requirements (ORS 537.409)

- ☒ Landowner Name, Mailing Address and Telephone Number.
- ☒ Source and tributary listed. NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE
- ☒ Reservoir Location- Township, Range, Section, Quarter Quarter, Taxlot
- ☒ Dam height, if applicable
- ☒ Total Quantity of Storage Requested: 10.7 Af.
- ☒ Proposed Use of the water. Cannot accept application for use of this stored water at the same time (E2)
- ☒ Property ownership indicated? If applicant does not own all the land is the affected landowner's name and mailing address listed? (Including: lands not owned by applicant, upon which the source is located OR that are crossed by the diversion works. This includes any roads or rights-of-way.)
- ☒ Environmental Impact section completed?
- ☒ Application signed by the landowner(s)? All parties noted as applicants must sign the application.  
*Must be an original "wet" signature.*
- ☒ Acceptable map \*\* Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant.
  - ☐ Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)\*
  - ☐ Scale of the Map, even scale such as 1" = 400', 1" = 1000', or 1" = 1320' \*\*
  - ☐ Reference corner on map
  - ☐ North Directional Symbol \*\*
  - ☐ 1/4's clearly identified
  - ☐ Reservoir clearly identified \*\*
  - ☐ Dam or POD (If off channel) Location coordinates referenced to a government landsurvey corner\*  
If no dam, use coordinates to center of reservoir.\*\*
- ☒ Completed Watermaster review sheet signed and dated by Watermaster.
  - Will the reservoir injure an existing water right? ☐ YES ☐ NO
  - If YES, can conditions be applied to mitigate the injury? ☐ YES ☐ NO If NO, return the application.
  - Did the watermaster determine when water is available for the proposed use? ☐ YES ☐ NO
  - The Watermaster review sheet must have been completed within the last 6 months.*
  - If the watermaster determined that water is NOT available, return the application.
- ☒ Completed ODFW review sheet signed and dated by ODFW representative.
  - Will the reservoir pose a significant detrimental impact to an existing fishery resource? ☐ YES ☐ NO
  - If YES, can conditions be applied to mitigate the impact? ☐ YES ☐ NO If NO, return the application.
  - The ODFW review sheet must have been completed within the last 6 months.*
- ☒ Completed Land-Use Form or receipt signed by the appropriate planning department official enclosed?  
*Does the use on land-use form match the proposed use on the application? Must be an original "wet" signature within the last 12 months.*
- ☒ Provide a Legal Description of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance to meet this requirement.

☒ Fees enclosed? Print page from fee calculator

Total Paid \$ 1,315.00

Total Fees \$ 1,315.00

Completeness Check by: E.G.

Date: 5/16/18

Revised 2017-8-4





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

# Application for a Permit to Store Water in a Reservoir (Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

## Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

### 1. APPLICANT INFORMATION

Applicant: City of Hillsboro Attn: Jeroen Kok  
Mailing Address: Parks and Recreation Department, 4400 NW 229th Ave.  
Hillsboro Oregon 97214  
City State Zip  
Phone: 503-681-6120  
Home Work Other  
Fax: E-Mail Address\*: Jeroen.Kok@hillsboro.oregon.gov  
\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

### 2. AGENT INFORMATION

The agent is authorized to represent the applicant in all matters relating to this application.

Agent: Theodore Ressler  
Mailing Address: GSI Water Solutions, Inc., 55 SW Yamhill Street, Suite 300  
Portland Oregon 97204  
City State Zip  
Phone: 503-239-8799  
Home Work Other  
Fax: E-Mail Address\*: tressler@gsiws.com  
\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

### 3. LOCATION AND SOURCE

A. Reservoir Name: Oak Island Marsh and Ash Slough at Jackson Bottom Wetlands Preserve  
B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.  
Source: Runoff Tributary to: Unnamed Stream (>Tualatin River)  
C. County in which diversion occurs: Washington

App. No. R-88582

For Department Use

Permit No. \_\_\_\_\_ Date \_\_\_\_\_



**D. Reservoir Location**

The table below describes the reservoir footprint.

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
1S	2W	6	SE NW, NW SW, NE SW	1000

**E. Dam:** Maximum height of dam: 9.0 feet. If excavated, write "zero feet".

**F. Quantity:** Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 10.7

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

**4. WATER USE**

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose/Wetland Enhancement

RECEIVED

MAY 16 2018

OWRD

**5. PROPERTY OWNERSHIP**

Please provide a copy of the recorded deed(s).

Do you own all the land where you propose to divert, transport, and use water?

☒ **Yes** (please check appropriate box below then skip to section 5)

☐ There are no encumbrances

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

☐ **No** (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:



## 6. ENVIRONMENTAL IMPACT

- A. **Channel:** Is the reservoir: ☐ in-stream or ☒ off channel?
- B. **Wetland:** Is the project in a wetland? ☒ Yes ☐ No ☐ Don't know
- C. **Existing:** Is this an existing reservoir? ☐ Yes ☒ No  
If yes, how long has it been in place? \_\_\_\_\_ years.
- D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? ☐ Yes ☐ No ☐ Don't know  
If yes, how much? \_\_\_\_\_ miles.
- E. **Partnerships:** Have you been working with other agencies? ☒ Yes ☐ No  
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

Oregon Department of Fish and Wildlife: Tom Murtagh, District Fish Biologist (971-673-6044) and Greg Apke, Fish Passage Coordinator (503-947-6228).

## 7. WITHIN A DISTRICT

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

## 8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

The design of the wetland includes perimeter berms and dividing levees for impounding water and controlling water flow in the wetland. Each of the levees are designed to allow flow to overtop the levee and flow downgradient through the wetland. An outlet on the downstream side of the facility releases water to a channel that conveys water to the Tualatin River.

Because the source of water is runoff, there will be no live flow to bypass outside of the storage season.

The boundary shown on the attached map shows the storage capacity of the reservoir. This boundary reflects the volume of water that will be retained for the start of the summer season. Any additional water that is present beyond the reservoir footprint during the winter months is in excess of the design storage capacity (natural flooding of the area), and is therefore not being intentionally impounded by the Applicant in this reservoir or for use under this water right application.

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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

See Attachment 1 for drawings.

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#### 9. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

  
Landowner Signature

May 9, 2018  
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.



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**Attachment 1**  
**Preliminary Reservoir Design Information**  
*Oak Island Marsh and Ash Slough*

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**Attachment 2**

**Application Map**

*Oak Island Marsh and Ash Slough*

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**Attachment 3**  
**Watermaster Review**  
*Oak Island Marsh and Ash Slough*

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R-88582



# WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

**The review of alternate reservoirs is limited to these criteria only.**

Application #: R-

Applicant's Name: City of Hillsboro

1) Does the proposed reservoir have the potential to injure existing water rights? ☒ NO ☐ YES

Explain: Source of water is run-off, no live flow component

2) Can conditions be applied to mitigate the potential injury to existing water rights? ☒ NO ☐ YES

If YES, which conditions are recommended:

3) Did you meet with staff from another agency to discuss this application? ☒ NO ☐ YES

Who:

Agency:

Date:

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Who:

Agency:

Date:

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Watermaster signature:

John Cantor

Date:

5/9/18

WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

**NOTE: This completed form must be returned to the applicant**



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**Attachment 4**

**ODFW Review**

*Oak Island Marsh and Ash Slough*

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# ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: City of Hillsboro Parks and Recreational Department

Attn: Jeroen Kok 503-681-6120

Reservoir Name: Oak Island Marsh and Ash Slough Source: Runoff Volume (AF): 22

Twp Rng Sec QQ: T1S, R2W, Sec 6, SENW, N1/2SW, NWSE, SWSE Basin Name: Tualatin ☐ in-channel ☒ off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

1) Is the proposed project and AO<sup>1</sup> off channel? ..... ☒ YES ☐ NO  
(if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF<sup>2</sup> are or were historically present? ..... ☐ YES ☐ NO  
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

a. Is there an ODFW-approved fish-passage plan? ..... ☐ YES ☐ NO

b. Is there an ODFW-approved fish-passage waiver or exemption? ..... ☐ YES ☐ NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream? ..... ☐ YES ☒ NO  
*Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)*

☐ Any diversion or appropriation of water for storage during the period \_\_\_\_\_ through \_\_\_\_\_ poses a significant detrimental impact to existing fishery resources.  
(For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)  
If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

ODFW concludes that though OAK ISLAND MARSH and ASH SLOUGH are in the Tualatin RIVER floodplain and subject to

<sup>1</sup> AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

<sup>2</sup> NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)



inundation every winter, that the levees and impoundments are constructed to allow water to drain towards the Tualatin River. This design allows any NMF or ESA fish that enters the impounded reaches of this floodplain to outmigrate as the flows drop in the Tualatin. ODFW approved of the design and outmigrant channel in 2017.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

☐ NO (explain)

☐ YES (select from Menu of Conditions on next page)

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ODFW Signature:

*Tom Murtagh*

Print Name:

Tom Murtagh

ODFW Title:

Dist Fish Biologist

Date:

4-20-2018

NOTE: This completed form must be returned to the applicant.



Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

**fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-pass facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-pass plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

**fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

**fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishdiv33:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

**b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.

**b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

**b51a** The period of use has been limited to \_\_\_\_\_ through \_\_\_\_\_.

**b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

**b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

**futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the \_\_\_\_\_ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

**riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

**wq:** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

**fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.

**blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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**Attachment 5**

**Land Use Form**

*Oak Island Marsh and Ash Slough*

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12-88582



# 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

## 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.

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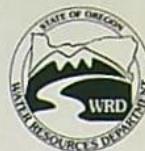
## NOTE TO LOCAL GOVERNMENTS

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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 Hillsboro; Attn: Jeroen Kok

Mailing Address: Parks and Recreation Department, 4400 NW 229<sup>th</sup> Ave.

City: Hillsboro

State: OR

Zip Code: 97214

Daytime Phone: 503-681-6120

## 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>1S</u>	<u>2W</u>	<u>6</u>	<u>SE NW</u>	<u>1000</u>	<u>Heavy Industrial</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Wetland</u>
<u>1S</u>	<u>2W</u>	<u>6</u>	<u>NW SW</u>	<u>1000</u>	<u>Heavy Industrial</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Wetland</u>
<u>1S</u>	<u>2W</u>	<u>6</u>	<u>NE SW</u>	<u>1000</u>	<u>Heavy Industrial</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Wetland</u>

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

City of Hillsboro

## 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) \_\_\_\_\_

Estimated quantity of water needed: 10.7    ☐ 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 Wetland Enhancement

Briefly describe:

Runoff water will be impounded behind reservoir berms, creating wetlands. Water will be discharged to the Tualatin River.

**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 4. →



## For Local Government Use Only

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): Policy NR 2.2
- ☐ 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:	
		<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
		<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.

none

Name: Sarah Bruce Title: Senior Planner

Signature: Sarah A. Bruce Phone: 503-681-6214 Date: 5/2/18

Government Entity: City of Hillsboro

**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: \_\_\_\_\_

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**Attachment 6**  
Property Ownership  
*Oak Island Marsh and Ash Slough*

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R-88582



# Tax Lot 1000

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KNOW ALL MEN BY THESE PRESENTS, That ANNIE MATA COMIERI, a single woman, Grantor, in consideration of Sixteen Thousand Five Hundred Nineteen and 75/100 Dollars (\$16,519.75) to her paid by The City of Hillsboro, Oregon, a municipal corporation, Grantee, does hereby grant, bargain, sell and convey unto the said Grantee, its successors and assigns, all the following real property, with the covenants, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Being a portion of that tract of land conveyed to H. P. Corbett by deed as recorded in volume 123, page 372 of said Washington County, Oregon, land records, and more particularly described as follows: Beginning at a point on the south line of the Shaleek-Simmons D.L.C. in T15, R25, E4, and which beginning point bears S 29° 52' E 65.0 feet from a point where the south line of said Simmons D.L.C. intersects the range line between T15, R24, N.W. and T15, R25, N.W., said beginning point also being a point on the northeast line of that tract conveyed to Washington County, Oregon, thence from the described place of beginning N 20° 20' E along the east line of said Washington County tract 194.7 feet to a point on the south line of said Corbett tract and then from said point on the south line across S 88° 00' 10.0 E 10.0 feet to a point on the north line of said Corbett tract and then from said point on the north line across the south line of said Corbett tract 139.1 feet to a lawn over which shaft at the southeast corner of that second tract conveyed to H. C. Durbin by deed as recorded in volume 255, page 655 of said Dead Records, thence N 36° E along the west line of said Durbin second tract 307.7 feet to a point on the north line of said Durbin second tract and then from said point on the north line across the north line of said Durbin second tract 100.0 feet to a point on the south line of said Simmons D.L.C. in T15, R25, E4, along the south line of said Simmons D.L.C. 408.8 feet to an iron pin at the southeast corner of that tract conveyed to V. L. Reichlich by deed as recorded in volume 224, page 423 of said Dead Records, thence N 30° 10' E along the east line of said Reichlich tract 122.9 feet to an iron pin, thence S 88° 59' E parallel to the south line of said Simmons D.L.C. in T15, R25, E4 to an iron pin, thence N 36° 38' E 101.6 feet to an iron pin at the southeast corner of that tract conveyed to the Gluyer-Hillman Co., Oregon, by deed as recorded in volume 159, page 191 of said Dead Records, thence from said point on the south line of said City of Hillsboro tract S 62° 00' E to a point on the south line of said Durbin second tract conveyed to J. R. Durbin by deed as recorded in volume 395, page 22 of said Dead Records, thence S 1° 31' E along the east line of said Durbin second tract 70.0 feet to an iron pin at the southeast corner thereof, thence S 89° 10' E along the north line of said Durbin second tract 100.0 feet to a point on the south line of said Simmons D.L.C. 66.2 feet to a point on the east line of said City of Hillsboro tract, thence S 89° 10' E parallel to the south line of said Simmons D.L.C. 307.7 feet to a point on the east line of said City of Hillsboro tract, thence from said point on the east line of said City of Hillsboro tract S 89° 10' E along the north line of that tract conveyed to Washington County, Oregon, by deed as recorded in volume 130, page 244 of said Dead Records, thence from said point on the north line of said Washington County tract 25.2 feet more or less to the northeast corner thereof, thence N 20° 20' E along the east line of said Washington County tract 1054.0 feet more or less to the place of beginning containing 10873 acres and 1/1000

The grantor reserves unto herself, her heirs and assigns, from the conveyance hereinabove made, all of the crops presently growing upon said lands together with the right of increase and ingress thereto for the purpose of harvesting said crops.



6600

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, Kate M. Albers, formerly Kate M. Robertson, a single woman, grantor, in consideration of Thirteen Thousand Five Hundred and no/100 Dollars (\$13,500.00) to me paid by the City of Hillsboro, Oregon, grantee, do hereby grant, bargain, sell and convey unto the said grantee, its successors and assigns, all the following real property, with the Easements, hereditaments and appurtenances, situated in the County of Washington, and State of Oregon, bounded and described as follows, to wit:

Being a portion of that first tract and all of that second tract of land conveyed to H. W. Currin by deed as recorded in Volume 255, page 455, of Washington County, Oregon, Deed Records, and more particularly described as follows: Beginning at an iron pipe at the southeast corner of the Wheelock-Simmons D.L.C. in T15, R2W, W.M., and running thence N 00° 49' E along the east line of said Currin tract 1627.0 feet to an iron pipe at the most southerly corner of that tract conveyed to Julius Christensen by deed as recorded in Volume 162, page 541, of said Deed Records; thence N 89° 01' W parallel to the south line of said Currin tract 815.7 feet to an iron pipe on the west line of said Currin tract; thence S 00° 30' W along the west line of said Currin tract 1627.0 feet to an iron pipe at the southwest corner of said Currin first tract; thence S 00° 36' W along the west line of said Currin second tract 307.7 feet to a lawn mower spigot at the southwest corner thereof; thence S 00° 01' E along the south line of said Currin second tract 807.7 feet to an iron pipe at the southeast corner thereof; thence N 00° 29' E along the east line of said Currin second tract 307.7 feet to the place of beginning, containing 37.492 acres.

SUBJECT to the agreement recorded in Washington County Miscellaneous Book C, Page 592; the Easements recorded in Washington County Deed Book 70, Page 512; and the Easement recorded in Deed Book V, Page 455.

The grantee agrees to erect and maintain a fence along the North boundary line of the property above described, separating the said tract from the remainder of grantor's property.

To have and to hold the above described and granted premises unto the said grantee, its successors and assigns forever.

And the grantor does covenant that she is lawfully seized in fee simple of the above granted premises free from all incumbrances, except 1952-53 taxes; and that she, will and her heirs,

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KNOW ALL MEN BY THESE PRESENTS, THAT VINCENT T. HEINRICH and MAUDIE V. HEINRICH, husband and wife,

in consideration of Two Thousand Sixty-seven and 90/100 (\$2,067.90) —

to them paid by THE CITY OF HILLSDALE, OHIO, a municipal corporation,

do hereby grant, bargain, sell and convey unto the said grantees —

the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Being a portion of that tract of land conveyed to V. T. Heinrich by deed as recorded in volume 226, page 123 of Washington County, Oregon, Deed Records, and more particularly described as follows: Beginning at an iron pipe at the southeast corner of said Heinrich tract and which beginning point bears N 89° 01' W, 806.9 feet and N 88° 59' W, 241.2 feet from the southeast corner of the Wheelock Simons D.L.G. in T15, R27, W4, thence from the described place of beginning 10° 30' E along the east line of said Heinrich tract 1229.6 feet to an iron pipe; thence N 88° 59' W parallel to the south line of said Heinrich tract 241.2 feet to an iron pipe on the west line of said tract; thence S 7° 30' W along the west line of said Heinrich tract 1229.6 feet to an iron pipe at the southwest corner thereof; thence S 88° 59' W along the south line of said Heinrich tract 241.2 feet to the place of beginning, containing 6.893 acres.

To Have and to Hold the above described and granted premises unto the said grantees —

And the grantors do covenant that —

and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness my hand and seal this 31<sup>st</sup> day of July, 1952.

Vincent T. Heinrich (1930)  
Maudie V. Heinrich (1930)

STATE OF OREGON,  
County of Washington.

On this 31<sup>st</sup> day of July, 1952,  
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Vincent T. Heinrich and Maudie V. Heinrich,

who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon  
My Commission expires April 17, 1955

6874

NOTARY DEED  
OFFICE IN CHIEF

STATE OF OREGON,  
County of Washington.

I certify that the within instrument was examined for record on the 17<sup>th</sup> day of July, 1952, and it is hereby recorded in Book 335, Page 440.

Witness my hand and seal of said County.

3 WASHINGTON COUNTY CLERK  
By: [Signature]  
Clerk

RECEIVED  
MAY 16 2018  
OWRD



7237

KNOW ALL MEN BY THESE PRESENTS: That Walter Jarrell and Ethel V. Jarrell, husband and wife, as tenants by the entirety, in consideration of the sum of \$2067.00 and other good and valuable considerations to them paid by THE CITY OF HILLSBORO, grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said grantee, its successors and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Being a portion of that tract of land conveyed to W. Jarrell by deed as recorded in volume 236, page 491 of Washington County, Oregon, Deed Records, and more particularly described as follows: Beginning at an iron nail at the southeast corner of said Jarrell tract, a point on the south line of the Wheelock Simons D.L.C. in T15, R27, W.M., and which beginning point bears N 89° 01' W 806.9 feet from the southeast corner of said Simons D.L.C.; thence from this described place of beginning N 0° 30' E. along the east line of said Jarrell tract 1229.6 feet to an iron pipe; thence N 88° 59' W parallel to the south line of said Jarrell tract 244.2 feet to an iron pipe on the west line of said tract; thence S 97° 00' W along the west line of said Jarrell tract 1229.6 feet to an iron pipe at the southwest corner thereof; thence S 88° 59' E along the south line of said Jarrell tract 244.2 feet to the place of beginning, containing 6.891 acres.

The grantor reserves unto himself, his heirs, and assigns, the right to install a drain tile 18 inches under ground for the purpose of draining surface waters of grantor's remaining tract, said tile to be laid along the following described line: Beginning at the N.E. corner of the tract conveyed thence south along said east line to an intersection with an open ditch or drain tile to be constructed by grantee.

The grantee agrees to erect and maintain a fence along the north boundary of the above described property separating the said tract from the remainder of grantor's property, and also a fence along the following line: Beginning at the N.E. corner of the tract herein conveyed northerly to the N.W. corner of that certain tract of land conveyed to the City of Hillsboro from Kate M. Albers by deed recorded in Book 335 on page 311 of the Records of Deeds of Washington County, Oregon.

To Have and to hold the above described and granted premises unto the said grantee, its successors and assigns forever.

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MAY 16 2018

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# Tax Lot 400

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MAY 16 2018  
OWRD



Washington County, Oregon

02/16/2005 01:53:55 PM

D-DBS

Cnt=1 Stn=22 REED

\$20.00 \$6.00 \$11.00 - Total = \$37.00

2005-016652



00729160200500166520040048

I, Jerry Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Jerry Hanson  
Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk



TAX STATEMENT ADDRESS:

City of Hillsboro  
123 W. Main St.  
Hillsboro, OR 97123

AFTER RECORDING, RETURN TO:

Joseph S. Voboril  
Tonkon Torp LLP  
1600 Pioneer Tower  
888 SW Fifth Avenue  
Portland, OR 97204

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MAY 16 2018

OWRD

**BARGAIN & SALE DEED**

FRED R. TEUFEL and JEAN M. TEUFEL, as tenants by the entirety, Grantors, convey to the CITY OF HILLSBORO, a municipal corporation, Grantee, that certain real property, together with improvements and appurtenances thereto, located in Washington County, Oregon, and more particularly described on Exhibit A attached hereto.

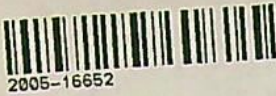
The actual consideration for this conveyance consists of value given other than money.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

CTIC #1050888

R-88582





DATED this 10<sup>th</sup> day of December, 2004.

GRANTORS:

Fred R. Teufel  
FRED R. TEUFEL

Jean M. Teufel  
JEAN M. TEUFEL

RECEIVED

MAY 16 2018

OWRD

STATE OF OREGON )  
County of Washington ) ss.

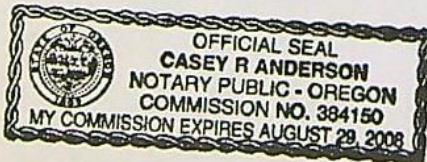
The foregoing instrument was acknowledged before me on  
December 10<sup>th</sup>, 2004, by FRED R. TEUFEL.



Casey K. Anderson  
Notary Public for Oregon  
My commission expires: 08/29/08

STATE OF OREGON )  
County of Washington ) ss.

The foregoing instrument was acknowledged before me on  
December 10<sup>th</sup>, 2004, by JEAN M. TEUFEL.



Casey K. Anderson  
Notary Public for Oregon  
My commission expires: 08/29/08

00974400001602912 V001





## ACCEPTANCE OF DEED

The foregoing bargain and sale deed, from Fred R. Teufel and Jean M. Teufel to the City of Hillsboro, dated December 10, 2004 is accepted by the City of Hillsboro, by and through its Mayor, Tom Hughes.

DATED this 1st day of February, 2005.

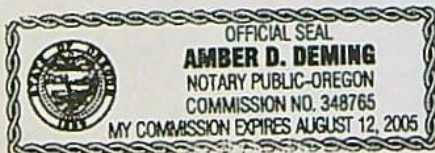
Tom Hughes  
Tom Hughes  
Mayor, City of Hillsboro

STATE OF OREGON       )  
                                  )ss  
County of Washington   )

Subscribed to and sworn before me this 1<sup>st</sup> day of February, 2005.

Amber D. Deming  
Notary Public for Oregon

K:\28483\001021TJS\TJS\_K21U0



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MAY 16 2018

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12-88582





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MAY 16 2018

EXHIBIT A  
Legal Description

OWRD

TRACT "A" - PROPOSED OREGON ROSES PARTITION

A PORTION OF THE MICHEAL MOORE DLC NO. 41, LOCATED IN THE SOUTH ½ OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF HILLSBORO, COUNTY OF WASHINGTON, STATE OF OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3 ¼-INCH DISK INSCRIBED "WASHINGTON COUNTY SURVEYOR 1994" MARKING THE SOUTHWEST CORNER OF THE MICHEAL MOORE DLC NO. 41; THENCE ALONG THE WEST LINE OF SAID MOORE DLC, NO. 1°59'13"E, 305.58 FEET TO THE MOST WESTERLY NORTHWEST CORNER OF THE WILLIAM E. THORNE TRACT OF LAND AS DESCRIBED IN DEED, RECORDED IN BOOK 31, PAGE 403, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE MOST WESTERLY NORTH LINE OF SAID TRACT OF LAND, BEING ALSO THE SOUTH LINE OF THE COMMONWEALTH PROPERTIES, INC. TRACT OF LAND AS DESCRIBED IN DEED, RECORDED IN DOCUMENT NUMBER 78055903, SAID RECORDS, S86°45'17"E, 435.66 FEET TO AN ANGLE POINT; THENCE CONTINUING ALONG SAID LINE, S 86°51'15"E, 558.71 FEET TO AN ANGLE POINT; THENCE ALONG THE MOST NORTHERLY WEST LINE OF SAID THORNE TRACT OF LAND, BEING ALSO THE MOST EASTERLY LINE OF THE CITY OF HILLSBORO TRACT OF LAND AS DESCRIBED IN DEED, RECORDED IN DOCUMENT NUMBER 99073131, SAID RECORDS, N01°00'38"E, 475.44 FEET TO AN ANGLE POINT; THENCE ALONG THE MOST NORTHERLY LINE OF SAID THORNE TRACT OF LAND, BEING ALSO THE MOST SOUTHERLY LINE OF THE LINDA J. LAPP MURRAY AND IRENE E. WEST TRACT OF LAND AS DESCRIBED IN DEED, RECORDED IN DOCUMENT NUMBER 99073129, SAID RECORDS, N73°41'38"E, 95.45 FEET; THENCE LEAVING SAID LINE, S45°43'12"W, 71.70 FEET; THENCE S08°33'00"E, 83.00 FEET; THENCE S30°53'50"E, 104.50 FEET; THENCE S34°59'45"E, 208.00 FEET; THENCE S16°37'37"E, 109.18 FEET; THENCE S24°56'32"E, 209.80 FEET TO A POINT OF CURVATURE; THENCE 101.21 FEET ALONG THE ARC OF AN 80.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 72°29'05" (THE CHORD OF WHICH BEARS S61°11'04"E, 94.59 FEET) TO A POINT OF TANGENCY; THENCE N82°34'23"E, 13.52 FEET; THENCE S57°19'49"E, 16.66 FEET; THENCE S02°34'32"E, 61.11 FEET; THENCE S38°09'16"E, 43.67 FEET TO THE NORTH LINE OF "SMITH'S FIR GROVE", A PLAT OF RECORD, BEING ALSO THE SOUTH LINE OF THE MICHEAL MOORE DLC NO. 41; THENCE ALONG THE SOUTH LINE OF SAID MOORE DLC, N86°51'15"W, 1068.10 FEET TO THE NORTHWEST CORNER OF THE SEIGLER DLC NO. 42; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID MOORE DLC, N86°41'17"W, 431.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.28 ACRES.



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MAY 16 2018

OWRD

Tax Lot 1200

R-88582



STATE OF OREGON

County of Washington

99

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 99082667

Rect: 235471

0.00

07/12/1999 04:22:27pm

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MAY 16 2018

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1-5

R-88582



I, Jerry F. Hanson, Director of Assessment and Taxation, and County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book or books of said county.

Jerry F. Hanson, Director of Assessment and Taxation, Ex-County Clerk

Doc : 99073131

Rect: 233758

26.00

06/16/1999 10:19:04am

This document is being re-recorded to add signatures from the City of Hillsboro. Previously recorded as document # 99073131 June 16, 1999.

Until a change is requested, all tax statements shall be sent to the following address:

City of Hillsboro  
123 West Main Street  
Hillsboro, Oregon 97123  
Attention: Tim Erwert

After recording, return to:

City of Hillsboro  
123 West Main Street  
Hillsboro, Oregon 97123  
Attention: Tim Erwert

### BARGAIN AND SALE DEED—STATUTORY FORM

LINDA J. LAPP MURRAY and IRENE E. WEST, collectively Grantor, convey to the City of Hillsboro, Grantee, the real property located in Washington County, Oregon, and described in Exhibit A attached hereto (the "Property") and by this reference incorporated herein, subject, however, to the restrictive covenant contained in Exhibit B attached hereto and by this reference incorporated herein.

The true consideration for this conveyance is other property or value given or promised.

**THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.**

DATED this 14 day of June, 1999.

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Linda J. Lapp Murray

Irene E. West

RECORDED BY OREGON TITLE AS AN ACCOMMODATION ONLY NO LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OR FOR THE VALIDITY, SUFFICIENCY, OR EFFECT OF THIS DOCUMENT.



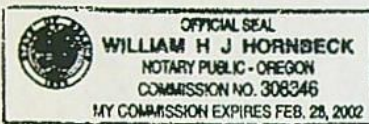
RECEIVED

MAY 16 '2018

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STATE OF OREGON )  
County of Multnomah ) ss.

The foregoing instrument was acknowledged before me this 23 day of April, 1999, by LINDA J. LAPP MURRAY.

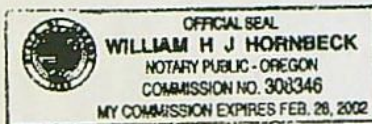


*[Signature]*

Notary Public for Oregon  
My commission expires:

STATE OF OREGON )  
County of Multnomah ) ss.

The foregoing instrument was acknowledged before me this 14 day of June, 1999, by IRENE E. WEST.



*[Signature]*

Notary Public for Oregon  
My commission expires:

THIS CONVEYANCE IS ACCEPTED BY THE CITY OF HILLSBORO.

DATED this 6th day of July, 1999.

CITY OF HILLSBORO

By: *[Signature]*

Name: Gordon Faber

Title: Mayor

ATTEST: *[Signature]*

City Recorder

2 3

R88582



EXHIBIT A

[LEGAL DESCRIPTION  
OF PROPERTY TO BE DONATED]

A tract of land in Section 6, Township 1 South, Range 2 West of the Willamette Meridian, in Washington County, Oregon, further described as follows:

beginning at the most southerly corner of that tract of land described in deed to John W. West, Trustee of the John W. West Revocable Living Trust, recorded 03/02/1994 as Document 94020188 in deed records of said county;

thence northwesterly, along the southwest boundary thereof, 10.47 chains to the most westerly corner thereof;

thence northeasterly, along the northwest boundary thereof (called, in error, North 61 degrees, 16' East in said deed, but called North 51 degrees, 16' East in deed to West, in Deed Book 285, page 79, which is the basis of bearings for this description), 183.29 feet;

thence South 54 degrees, 31' East 100.00 feet to an iron rod with an aluminum cap stamped HILLSBORO ENGR. DEPT.;

thence continuing on a projection of the previous bearing an additional 100.00 feet to a similar iron rod;

thence continuing on a further projection of said bearing to the east boundary of said tract described in deed to John W. West, Trustee;

thence southerly, along said east boundary, through an angle in said boundary, to the most southerly corner of said West tract, and the point of beginning of the tract herein described.

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MAY 16 2018

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EXHIBIT B

[RESTRICTIVE COVENANT]

The use of the Property shall be subject to the restrictive covenant contained herein, which is for the benefit of Grantor, the Jackson Bottom Wetlands Preserve Board (or any successor group or organization established for the purpose of conserving the Jackson Bottom wetlands area), and their successors and assigns.

1. **Use Restriction.** The use of the Property shall be perpetually limited to use as a nature preserve, together with related uses incidental to and directly related to the use and maintenance of a nature preserve. Grantor, its employees, contractors, successors and assigns shall have the right to engage in wetlands and other habitat enhancements to the Property, and to access the Property as reasonably necessary in connection therewith.

2. **Injunctive Relief.** In event of any violation of the restrictive covenant contained herein, it is acknowledged that Grantor (and its successors and assigns) will suffer damage that would be irreparable and not fully compensable by damage recovery. Consequently, in such event, Grantor, the Jackson Bottom Wetlands Preserve Board (or any successor group or organization established for the purpose of conserving the Jackson Bottom wetlands area), their successors and assigns shall have the right, following reasonable written notice to Grantee, to enjoin such violation or threatened violation in a court of competent jurisdiction.

3. **Attorney Fees.** If legal action is commenced in connection with this restrictive covenant, the prevailing party in such action shall be entitled to recover its reasonable attorney fees and costs incurred in the trial court and any appeal therefrom. The reference to "costs" includes, but is not limited to, witness fees (expert and otherwise), out-of-pocket costs, title search and report expenses, survey costs, and any other reasonable expenses.

4. **Prior Agreements.** This restrictive covenant constitutes the entire, final and complete agreement of the parties pertaining to the subject hereof, and supersedes and replaces all other written and oral agreements heretofore made or existing by and between the parties or their representatives insofar as the restrictive covenant contained herein is concerned.

5. **Nonwaiver.** Failure by either party at any time to require performance by the other party of any of the provisions hereof shall in no way affect the party's rights hereunder to enforce the same, nor shall any waiver by a party of the breach hereof be held to be a waiver of any succeeding breach or a waiver of this nonwaiver clause.

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MAY 16 2018

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4 5

R-88582



Tax Lot 1300

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MAY 16 2018

OWRD

12-00582





After recording return to:  
June Wells Nevling  
1091 SE 7th Avenue  
Hillsboro, OR 97123

Until a change is requested all tax statements  
shall be sent to the following address:  
June Wells Nevling  
1091 SE 7th Avenue  
Hillsboro, OR 97123

File No.: 7011-192456 (LS)  
Date: June 18, 2003

Washington County, Oregon 2003-105687  
06/30/2003 10:55:25 AM  
D-DBS Crt#1 Stn#4 A DUYCK  
\$15.00 \$8.00 \$11.00 \$20.00 - Total = \$52.00



00373556200301056870030038

I, Jerry Hanson, Director of Assessment and Taxation  
and Ex-Officio County Clerk for Washington County,  
Oregon, do hereby certify that the within instrument of  
writing was received and recorded in the book of  
records of said county.

Jerry R. Hanson, Director of Assessment and Taxation,  
Ex-Officio County Clerk



**STATUTORY BARGAIN AND SALE DEED**

June Wells Nevling, Grantor, conveys to June Wells Nevling and Thomas W. Nevling, Trustees  
of the Nevling Family Revocable Trust, Grantee, the following described real property:

Beginning at an iron pipe set at a point which is 1039 feet East of a point 1349.67 feet North  
of the Southwest corner of the Michael Moore Donation Land Claim in Section 6, Township 1  
South, Range 2 West, of the Willamette Meridian, in the County of Washington and State of  
Oregon, being a point on the West line of the tract described in Deed to Frederick Geisler, et  
ux, recorded in Book 81, page 113, Washington County Deed Records; thence South 24°24'  
West 257.6 feet along said Westerly line to an iron bar at an angle corner of said tract;  
thence South 51°16' West 410.5 feet to an iron bar at the most Westerly corner of Corrieri  
lands; thence North 33°35' West 461.5 feet to an iron bar at an angle corner on the East line  
of the tract described in Deed to W.J. Enschede, et ux, recorded in Book 279, page 108, said  
Deed Records; thence North 39°41' East 594.0 feet along said Easterly line to an iron pipe on  
the West side of Seventh Street in HIGHLANDS ADDITION TO HILLSBORO; thence following  
said West line of Seventh Street South 23°02' East 218.0 feet to an iron pipe; thence South  
53°21' East 201.5 feet to an iron pipe; thence South 62°31' East 62.9 feet to the place of  
beginning.

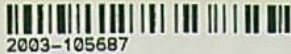
EXCEPT that portion thereof described as follows:

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MAY 16 2018

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APN: R0322788

Bargain and Sale Deed  
- continuedFile No.: 7011-192456 (LS)  
Date: 06/18/2003

Beginning at a point on the Northeasterly line of said Wells Tract, which bears South 23°02' East 78.76 feet from the iron pipe marking the initial point of CREST VIEW PLACE, a plat of record in said county, and running thence South 39°41' West 207.70 feet, parallel to the Southeasterly line of Lot 16, said CREST VIEW PLACE, to a point; thence South 23°02' East 106.87 feet to a point; thence North 48°10' East 195.00 feet to an iron rod on the Southerly line of S.E. Hollow Street, on the Northeasterly line of said Wells Tract; thence following said Northeasterly line, North 23°02' West 139.24 feet to the place of beginning.

AND EXCEPT that portion described as follows:

Beginning at the most Northerly corner of said Wells Tract at an iron pipe marking the initial point of CREST VIEW PLACE, a plat of record in said County, being also the Northeasterly corner of Lot 16, CREST VIEW PLACE, and running thence South 39°41' West 594.00 feet along the Easterly line of said Lot 16 and the Northwesterly line of said Wells Tract, to an iron bar at the most Westerly corner thereof; thence South 33°35' East 119.99 feet, along the Southwesterly line of said Wells Tract, to an iron rod; thence North 48°10' East 339.47 feet to a point; thence North 23°02' West 106.87 feet to a point; thence North 39°41' East 207.70 feet, parallel with the Easterly line of said Lot 16, to a point on the Northeasterly line of said Wells Tract; thence along said Northeasterly line, North 23°02' West 78.76 feet to the place of beginning.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is **\$1.00**. (Here comply with requirements of ORS 93.030)

*June Wells Neuling*

RECEIVED

MAY 16 2018

OWRD

STATE OF Oregon )  
County of *mult* ) ss.  
Washington )

This instrument was acknowledged before me on this 23 day of June, 2003  
by June Wells Neuling



*L.E. Sorrell*  
Notary Public for Oregon

My commission expires: 11-16-03





APN: R0322788

Affidavit - continued

File No.: 7011-192456 (LS)

Date: June 18, 2003

STATE OF Oregon )  
County of mult ) ss.  
Washington )

This instrument was acknowledged before me on this 23 day of June, 2003  
by as of, on behalf of the

[Signature]  
[Signature]  
Notary Public for Oregon

My commission expires: 11-16-03

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MAY 16 2018

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Tax Lot 1500

RECEIVED

MAY 16 2018

OWRD

R-00502



10-26  
445  
17

Pacific NW Title  
04259279-W  
SRM

Title Order No. 04259279  
Escrow No. 04259279

After Recording Return To:  
William E. Schultz and Isabelita S. Schultz  
1031 SE 7th Avenue  
Hillsboro, OR 97123

Until a change is requested all tax statements shall be sent to  
the following address:  
William E. Schultz and Isabelita S. Schultz  
1031 SE 7th Avenue  
Hillsboro, OR 97123

Washington County, Oregon 2004-139776  
12/08/2004 02:27:20 PM  
D-DW Crt#1 Btm#7 K GRUNEWALD  
\$10.00 \$8.00 \$11.00 \$445.00 - Total = \$472.00



00695785200401397760020020

I, Jerry Hanson, Director of Assessment and Taxation  
and Ex-Officio County Clerk for Washington County,  
Oregon, do hereby certify that the within instrument of  
writing was received and recorded in the book of  
records of said county.

Jerry Hanson  
Jerry R. Hanson, Director of Assessment and Taxation,  
Ex-Officio County Clerk



WASHINGTON COUNTY  
REAL PROPERTY TRANSFER TAX  
\$445.00 12-8-04  
FEE PAID DATE

### STATUTORY WARRANTY DEED

Jay Lawlor and Connie Lawlor, as Tenants in Common, Grantor, conveys and warrants to William E. Schultz and Isabelita S. Schultz, Husband and Wife, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Washington County, Oregon, to wit:

See Exhibit A attached hereto and made a part hereof.

This property is free from encumbrances, EXCEPT: The herein described premises are within the boundaries of and subject to the statutory powers, including the power of assessment, of Clean Water Services.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$445,000.00. (Here comply with the requirements of ORS 93.030)

RECEIVED

Dated this December 7, 2004.

MAY 16 2018

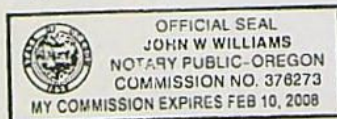
x Jay Lawlor  
Jay Lawlor

Connie Lawlor  
Connie Lawlor

OWRD

STATE OF OREGON }  
County of Washington } ss

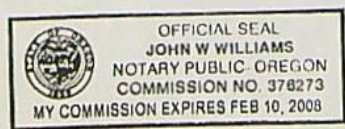
On this December 7, 2004, before me, the undersigned, personally appeared the within named Jay Lawlor known to me to be the identical individual who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.



John W. Williams  
Notary Public for the State of Oregon  
My commission expires: 2/10/08

STATE OF OREGON }  
County of Washington } ss

On this December 7, 2004, before me, the undersigned, personally appeared the within named Connie Lawlor known to me to be the identical individual who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.



John W. Williams  
Notary Public for the State of Oregon  
My commission expires: 2/10/08





Exhibit A

PARCEL I:

A portion of that certain tract of land in Section 6, Township 1 South, Range 2 West, of the Willamette Meridian, in the City of Hillsboro, County of Washington and State of Oregon, conveyed to Geneva Wells by Deed recorded in Book 560, Page 185, Washington County Deed Records, said portion being more particularly described as follows:

BEGINNING at a point on the Northeasterly line of said Wells Tract, which bears South 23°02' East 78.76 feet from the iron pipe marking the initial point of CREST VIEW PLACE, a plat of record in said county; and running thence South 39°41' West 207.70 feet, parallel to the Southeasterly line of Lot 16, said CREST VIEW PLACE to a point; thence South 23°02' East 106.87 feet to a point; thence North 48°10' East 195.00 feet to an iron rod on the Southerly line of SE Hollow Street on the Northeasterly line of said Wells Tract; thence following said Northeasterly line, North 23°02' West, 139.24 feet to the place of beginning.

PARCEL II:

A portion of that certain tract of land in Section 6, Township 1 South, Range 2 West, of the Willamette Meridian, in the City of Hillsboro, County of Washington and State of Oregon, conveyed to Geneva Wells by Deed recorded in Book 560, Page 185, Washington County Deed Records, said portion being more particularly described as follows:

BEGINNING at the most Northerly corner of said Wells Tract at an iron pipe marking the initial point of CREST VIEW PLACE, a plat of record in said county, being also the Northeasterly corner of Lot 16, CREST VIEW PLACE; and running thence South 39°41' West 594.00 feet along the Easterly line of said Lot 16 and the Northwestern line of said Wells Tract to an iron bar at the most Westerly corner thereof; thence South 33°35' East 119.99 feet, along the Southwesterly line of said Wells Tract, to an iron rod; thence North 48°10' East 339.47 feet to a point; thence North 23°02' West 106.87 feet to a point; thence North 39°41' East 207.70 feet parallel with the Easterly line of said Lot 16, to a point on the Northeasterly line of said Wells Tract; thence along said Northeasterly line, North 23°02' West 78.76 feet to the place of beginning.

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Tax Lot 1600

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MAY 16 2013

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R-88582



JUN 30 1987

OK

BARGAIN AND SALE DEED

87033679

KNOW ALL MEN BY THESE PRESENTS, That GENEL COMPANY, INC., an Oregon corporation successor in interest to Commonwealth Properties, Inc., an Oregon corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto City of Hillsboro

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Washington, State of Oregon, described as follows, to-wit:

See Exhibit A attached hereto.

\*corporation.

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$=0=

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 30th day of June, 1987; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

County of \_\_\_\_\_ ss.  
The foregoing instrument was acknowledged before me this \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_

(SEAL)

Notary Public for Oregon

My commission expires: \_\_\_\_\_

(ORS 194.570)

STATE OF OREGON, County of Clackamas ss.  
The foregoing instrument was acknowledged before me this \_\_\_\_\_, 1987, by Thomas D. Pomeroy, III, Vice president, and \_\_\_\_\_ of Genel Company, Inc., an Oregon corporation, on behalf of the corporation.

Baron M. Gramer  
Notary Public for Oregon

My commission expires: 4/27/90

(If executed by a corporation, affix corporate seal)

GENEL COMPANY, INC.  
19200 Von Karman Avenue, Suite 600  
Irvine, CA 92715  
Tim Erwert, ASST. CITY MANAGER  
City of Hillsboro  
205 SE Second  
Hillsboro, OR 97123

After recording return to:  
Mr. Tim Erwert, Asst. City Manager  
City of Hillsboro  
205 SE Second, Hillsboro, OR 97123

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

STATE OF OREGON,

County of \_\_\_\_\_ ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_ Deputy

RECORDED BY OREGON TITLE AS AN ACCOMMODATION ONLY. NO LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OR FOR THE VALIDITY, SUFFICIENCY, OR EFFECT OF THIS DOCUMENT.

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Situate in Section 6, Township 1 South, Range 2 West, Willamette Meridian, and also being a portion of the Michael Moore, DLC No. 41, City of Hillsboro, Washington County, Oregon and being described as follows:

Beginning at a point on the west line of said Moore DLC No. 41, said point also being the southeast corner of the W. Simmon DLC No. 44, a 1 1/2 inch iron pipe found; thence leaving said southeast corner and running N 0°00'47" W, on the west line of said Moore DLC No. 41, a distance of 944.07 feet to the southwest corner of the plat of Enschede Estates; thence leaving said southwest corner and running S 64°48'00" E, on the south line of said Enschede Estates and the plat of Crest View Place, a distance of 621.34 feet to the most southerly southeast corner of said Crest View Place; thence leaving said southeast corner and running S 39°41'00" W, a distance of 318.98 feet; thence S 33°35'00" E, a distance of 1152.50 feet; thence N 88°43'53" W, a distance of 994.36 feet to a point on the west line of said Moore, DLC No. 41; thence N 0°11'35" W, on said west line a distance of 504.07 feet to the point of beginning

STATE OF OREGON }  
County of Washington } SS

I, Donald W. Mason, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.

Donald W. Mason, Director of  
Assessment and Taxation, Ex-  
Officio County Clerk

EXHIBIT A

2

1987 JUN 30 AM 10:53





**Water Solutions, Inc.**

May 14, 2018

ATTN: Water Right Application Submittal  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271

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MAY 16 2018

**OWRD**

**RE: Application for a Permit to Store Water in a Reservoir (Alternate Review)**

Application Caseworker:

On behalf of the applicant, the City of Hillsboro, please find enclosed an Application for a Permit to Store Water in a Reservoir and a check in the amount of \$1,315 for payment of the necessary filing fees for the application. The application proposes to store 10.7 AF of water in Oak Island Marsh and Ash Slough at Jackson Bottom Wetlands Preserve.

Please send copies of all correspondence relating to this application to both the applicant and to my attention. If you have any questions regarding the enclosed application or the information contained therein, please call me at (503) 239-8799 x106. Thank you for your assistance and I look forward to hearing from you soon.

Sincerely,

A handwritten signature in blue ink, appearing to read "Theodore R. Ressler".

Theodore R. Ressler, RG, CWRE  
GSI Water Solutions, Inc.

Enclosures: Application for a Permit to Store Water in a Reservoir (Alternate Review)  
Check #273729 in the amount of \$1,315

CC: Jeroen Kok – City of Hillsboro  
Kristel Griffith – City of Hillsboro

R-88582





Oregon Water Resources Department  
Permit to Appropriate Surface Water for Storage - Alternate Reservoir Application

[Main](#) [Help](#)  
[Return](#) [Contact Us](#)

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Wednesday, May 16, 2018

Base Application Fee for Storage of Surface Water.		\$410.00
Proposed Dam Height in feet.	9	
Proposed Reservoir volume in Acre Feet.	10.7	\$385.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<a href="#">Recalculate</a>	
Estimated cost of Permit Application		\$1,315.00

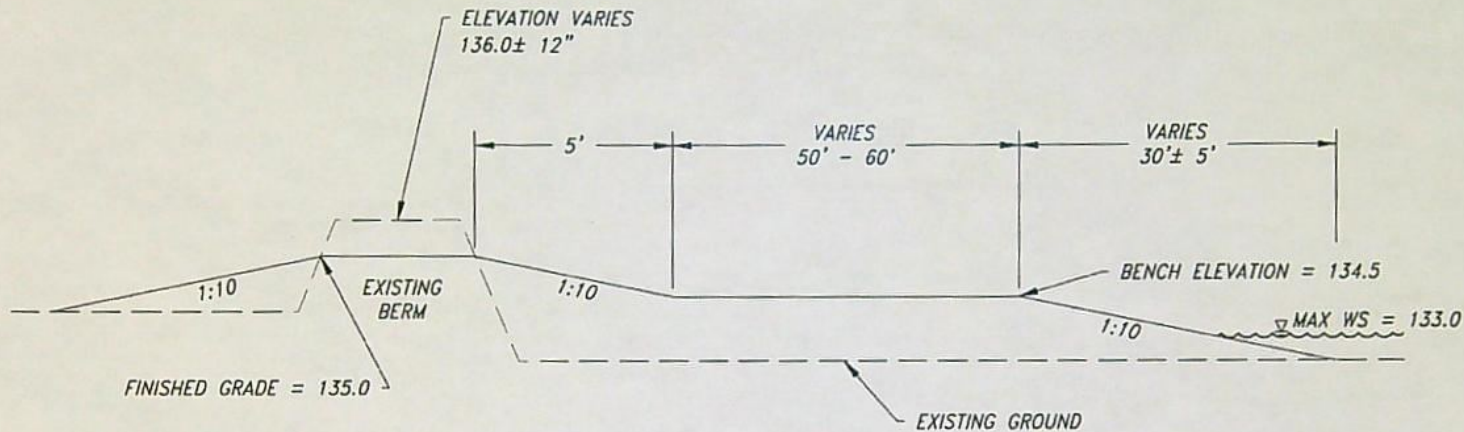
OWRD Fee Schedule

Fee Calculator Version: B20170117
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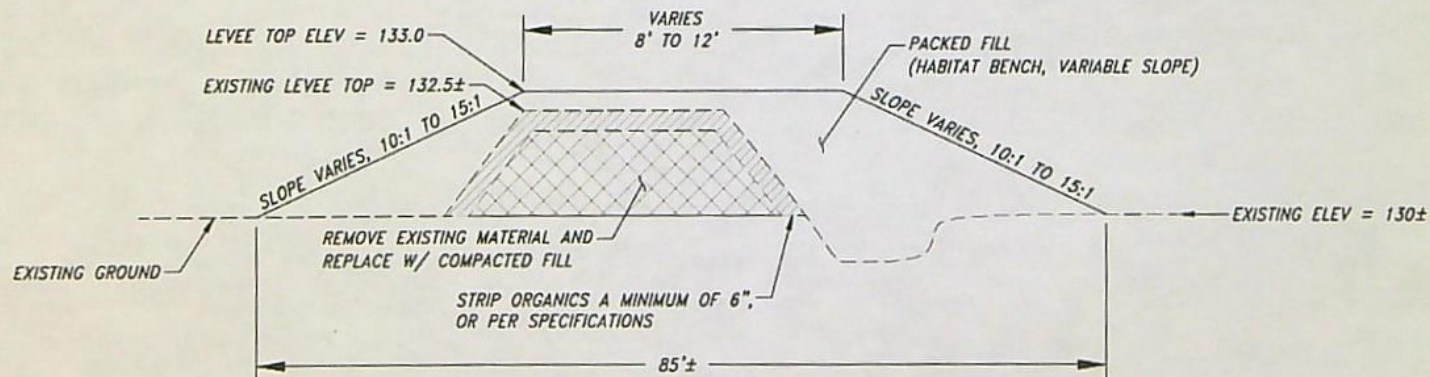


12-88582

## Perimeter berm



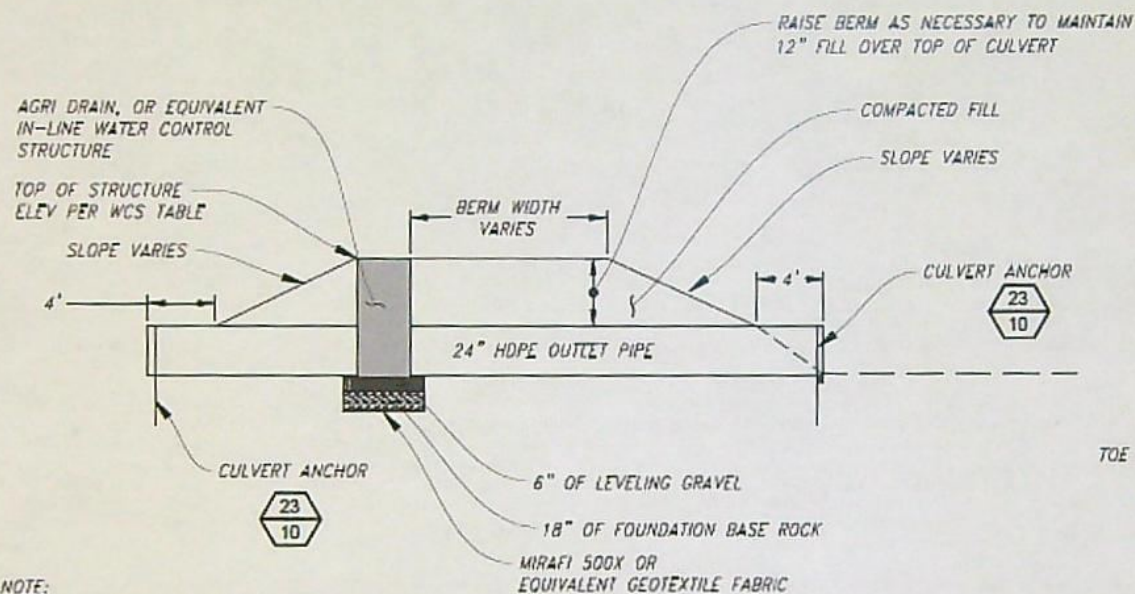
## Dividing levee



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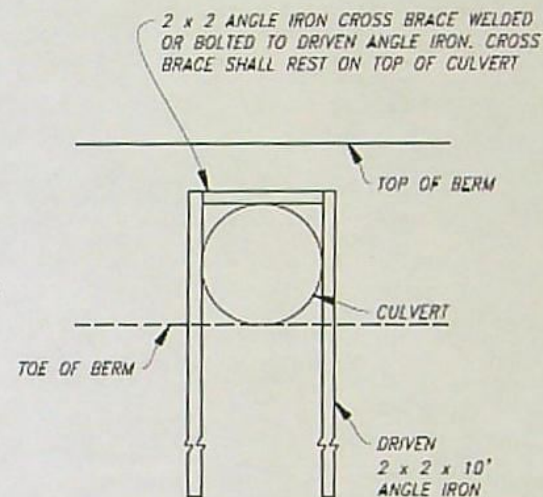


# Water control structure; reservoir outlet



NOTE:  
EXISTING GRAVEL @ WCS04 TO BE STOCKPILED & RESPREAD AFTER BACKFILL OF CULVERT IS COMPLETE.

22  
10 TYPICAL WATER CONTROL STUCTURE  
AGRI-DRAIN



23  
10 CULVERT ANCHOR  
INLET & OUTLET PIPE

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