

Application No. 65611

Name CITY OF BANKS, Oregon, A Municipal Corporation

Permit No. 48173

By

Address 150 NE Banks Road

Banks, OR 97106

Certificate No. ~~82927~~ 83138

Stream Index, Page No. 2-62-B-31

other - right - see file 9207

Date filed August 25, 1983.

Priority August 25, 1983 / 12/16/83

Action suspended until Sun 8-1 to 9-15

Return to applicant

Return to applicant _____
Date of approval _____ FEB 15 1984

CONSTRUCTION

Date for beginning

Date for completion OCT 1 1985

Extended to

Date for application of water OCT 1 1986

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed Completed

FINAL PROOF

FINAL PROOF
see memo 4-16-85

Blank mailed

Proof received

Date certificate issued 1/05/2007 ~~FEB 16 2007~~

FEES PAID

Date	Amount	Receipt No.
8-25-83	65.00	38041

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

ASSIGNMENTS

Date _____

To Whom

Address

Volume

Page

REMARKS

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF BANKS
150 NE BANKS RD
BANKS OR 97106

confirms the right to use the waters of TWO UNNAMED STREAMS for MUNICIPAL USES.

This right was perfected under Permit S-48173. The date of priority is AUGUST 25, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.180 CUBIC FEET PER SECOND, BEING 0.09 CUBIC FEET PER SECOND FROM EACH STREAM, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
2 N	3 W	WM	7	NW SW			290 FEET SOUTH AND 1090 FEET EAST FROM W1/4 CORNER, SECTION 7
2 N	3 W	WM	7	NW SW			280 FEET SOUTH AND 1140 FEET EAST FROM W1/4 CORNER, SECTION 7

A description of the place of use to which this right is appurtenant is a

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NOTICE OF RIGHT TO PETITION FOR REVIEW

This is an order in other than a contested case. This order is subject to judicial review. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.490, ORS 183.495 and OAR 137-004-0080, you may either 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

GERRY,
COLIN MOORE, ATTY E SCHROEDER
CALLED ABOUT THIS. THERE IS A
50' DISCREPANCY IN A POD DIST.
BETWEEN F.P. MAP & CERT.
I ADVISED HE WRITE YOU A
LETTER.
JES

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COUNTY OF WASHINGTON
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NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

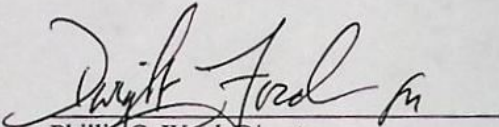
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2 N	4 W	WM	24	SE NE
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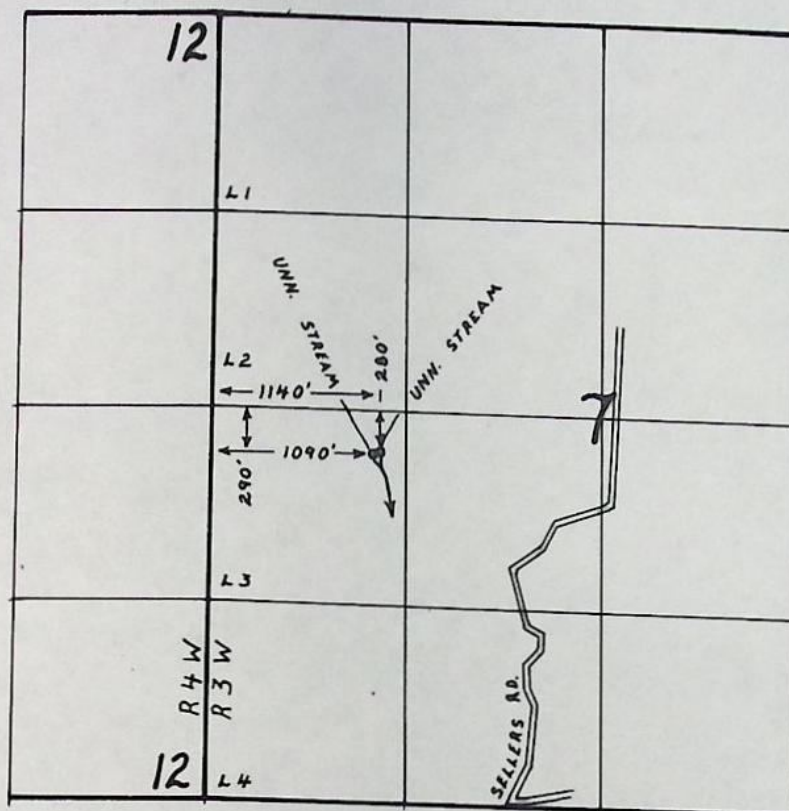
THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE POINTS OF DIVERSION, AND SUPERCEDES
CERTIFICATE 82927.

WITNESS the signature of the Water Resources Director, affixed FEB 16 2007.


Phillip C. Ward, Director
Water Resources Department



T. 2 N., R. 3 & 4 W., W.M.



FINAL PROOF SURVEY

UNDER

Application No. 65611 Permit No. 48173
IN NAME OF

CITY OF BANKS

Surveyed JULY 14, 1993, by R.W. Klassen



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: February 16, 2007

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that correctly describes the points of diversion for the water right and supercedes Certificate 82927, issued January 5, 2007. The attached certificate confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Certificate

Scheduled Mailing Date:

Application: S-65611

Permit: S-48173

Certificate: 83138

Permit/Certificate Holder:

CITY OF BANKS ✓
150 NE BANKS RD
BANKS OR 97106

Copies Mailed

by: Connie Vance
(STAFF)

on: 2/16/2007
(DATE)

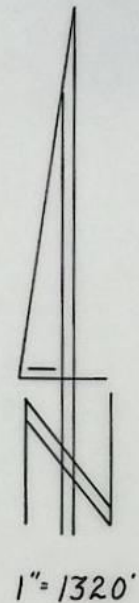
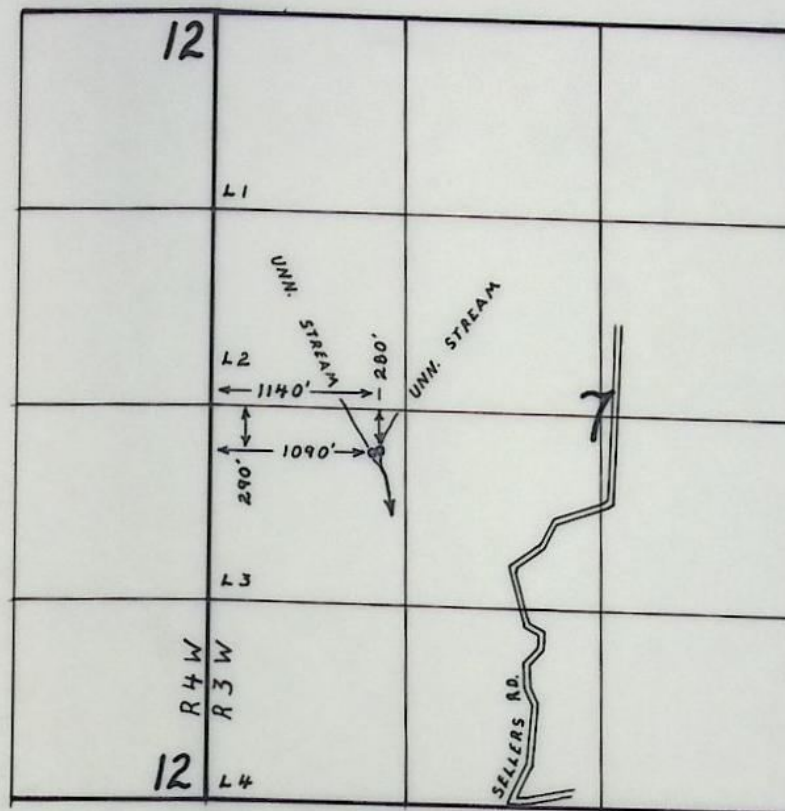
Copies of Final Certificate to be sent to:

1. Watermaster District 18, Darrell C Hedin ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓

Other persons to receive copies: (include map):

1. Colm Moore
Schroeder Law Offices, P.C.
1915 NE 39th Ave
PO Box 12527
Portland Or 97212-0527

T. 2 N., R. 3 & 4 W., W.M.



FINAL PROOF SURVEY
UNDER

Application No. 65611 Permit No. 48173
IN NAME OF

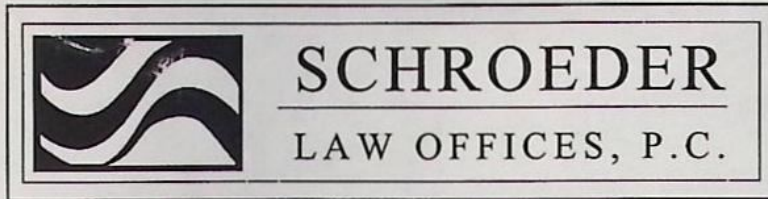
CITY OF BANKS

Surveyed JULY 14, 1993, by R.W. Klassen

Laura A. Schroeder
Licensed in Oregon, Idaho,
Nevada and Washington

V. Scott Borison, Ph.D.
Certified Legal Manager

Daryl N. Cole
Office Manager



Lynn L. Steyaert
Licensed in Oregon and Nevada

Cortney D. Duke
Licensed in Oregon

Colm Moore
Licensed in Oregon and Nevada

Therese A. Ure
Licensed in Nevada

Wyatt E. Rolfe
Licensed in Oregon

February 7, 2007

VIA US MAIL

Gerry Clark
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Certificate 82927

Dear Gerry Clark:

We represent the City of Banks in water rights issues and noticed a small error in a certificate that the Department recently issued to the City. We are writing to request that the Department reissue the certificate with the necessary correction.

Certificate 82927 (Permit S-48173) was mailed to the City on January 5, 2007. The points of diversion described on the Certificate (and the corresponding permit) do not match the point of diversion locations on the final proof survey. A copy of Certificate 82927 and the final proof survey are enclosed for your review. We request that the Department reissue the certificate with the correct point of diversion location, in accordance with the final proof survey.

This letter is simply a request to correct a mistake on the issued certificate and in no way waives the City of Banks' right to make further comments or file a petition for judicial review pursuant to ORS 183.484, within the required time frame.

Please do not hesitate to contact us if there is any additional information needed, or if this request raises any unforeseen issues.

Very truly yours,

SCHROEDER LAW OFFICES, P.C.

Colm Moore

CM:tjj
Enclosures
cc: Client

RECEIVED

FEB 09 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

phone 503-281-4100

fax 503-281-4600

1915 NE 39th Avenue, P.O. Box 12527, Portland, Oregon 97212-0527

www.water-law.com

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF BANKS
150 NE BANKS RD
BANKS OR 97106

confirms the right to use the waters of TWO UNNAMED STREAMS for MUNICIPAL USES.

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FEB 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

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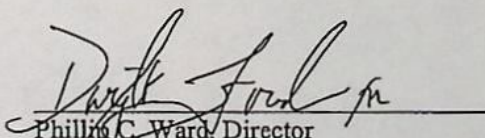
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JAN 05 2007

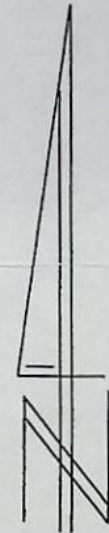
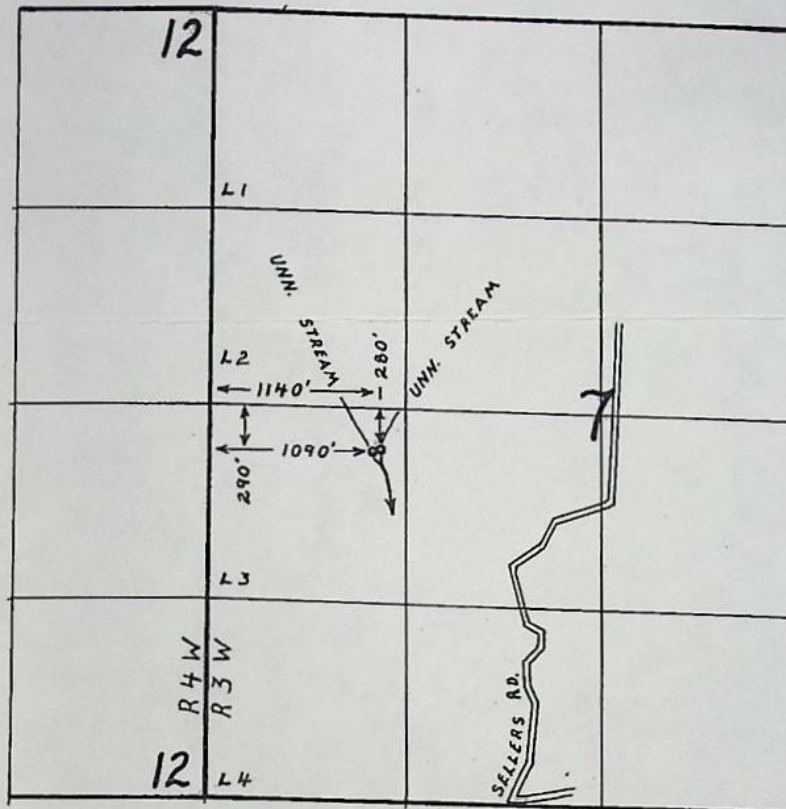
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FEB 09 2007

WATER RESOURCES DEPT
SALEM, OREGON


Phillip C. Ward, Director
Water Resources Department

T. 2 N., R. 3 & 4 W., W.M.



1" = 1320'

FINAL PROOF SURVEY

UNDER

Application No. 65611 Permit No. 48173
IN NAME OF

CITY OF BANKS

Surveyed JULY 14, 1993, by R.W. Klassen

RECEIVED

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**WATER RESOURCES DEPT
SALEM, OREGON**

OWRD0039

Received October 28, 2006

41867 589 104 L R/WK 12/93

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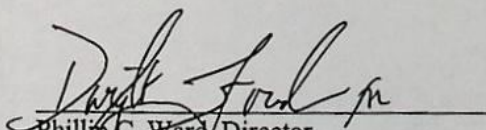
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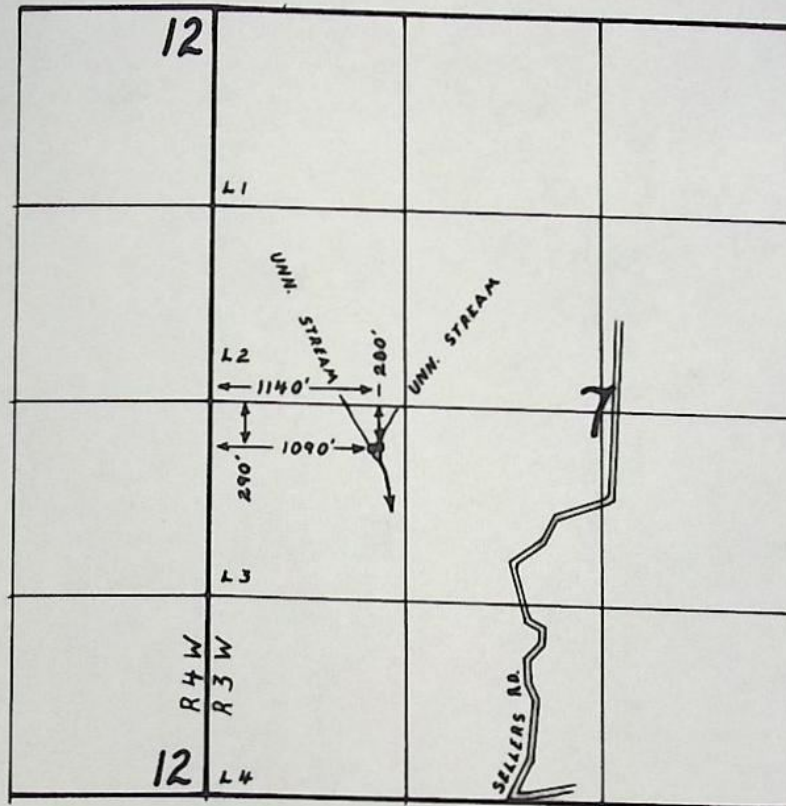
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JAN 05 2007


 Phillip C. Ward, Director
 Water Resources Department

T. 2 N., R. 3 & 4 W., W.M.



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503-986-0900
FAX 503-986-0904

Date Mailed: January 5, 2007

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Certificate: 82927

Permit/Certificate Holder:

CITY OF BANKS ✓
150 NE BANKS RD
BANKS OR 97106

Copies Mailed

by: Connie Vance
(STAFF)

on: 1/05/2007
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 18, Darrell C Hedin ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓

File ✓

Other persons to receive copies: (include map):

- 1.

CERT-
82927

Water Right and Adjudications Division

Oregon Water
Resources Department

Memo

To: Application File Number S-65611
From: Dwight French by M. K. Sauter DJF
Date: 6/23/2006
Re: Proof To The Satisfaction Documentation (Certificate Issuance)

Based on a review of the information in the file, proof to the satisfaction has been made. We should issue a proposed or final ☒ certificate in the amount of 0.18 cfs.

The place of use for the certificate shall be 1) as listed on the permit map ☒ 2) as described on the final proof map 3) other: DRAFT CERT IN FILE

The POD(s) or POA(s) should be 1) as listed on the permit map ☒ 2) as described on the final proof map 3) other: DRAFT CERT IN FILE

Abstract of Permit

This is to certify that I have examined APPLICATION **65611** and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to **City of Banks, Oregon, a Municipal Corporation of 150 NE Banks Road, Banks, Oregon 97106, phone 324-2251,** for the use of the waters of two unnamed streams, tributaries of the West Fork of Dairy Creek; being 0.09 cubic foot per second from each stream, for the PURPOSE of **municipal**

that the PRIORITY OF THE RIGHT dates from **August 25, 1983**

and is limited to the amount of water which can be applied to beneficial use and shall not exceed **0.18 cubic foot per second**

The POINT OF DIVERSION is to be LOCATED: **Diversion 1 - 250 feet South and 1000 feet East from the W 1/4 Corner, Section 7; Diversion 2 - 250 feet South and 1150 feet East from the W 1/4 Corner, both being within the NW 1/4 SW 1/4 of Section 7, Township 2 North, Range 3 West, WM, in the County of Washington.**

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

MOTOR

PUMP

PIPE

STORAGE

MAX USE

2N 4W 12

13

30

3N 3W 31 32

3N 4W 36

SEE NEXT PAGE

Actual construction work shall begin on or before **February 15, 1985**, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19⁸⁵.

Complete application of the water to the proposed use shall be made on or before October 1, 19⁸⁶.

Witness my hand this **15th** day of **February**, 19 **84**.

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION **65611**

PERMIT **48173**

RJK 7/14/93
41067 589 1042

Township 2 North, Range 4 West, WM	Section 13	NE 1/4 SE 1/4	Municipal
		SE 1/4 SE 1/4	
	Section 24	NE 1/4 NE 1/4	
		SE 1/4 NE 1/4	
		NE 1/4 SE 1/4	
		SE 1/4 SE 1/4	
	Section 25	NE 1/4 NE 1/4	
		SE 1/4 NE 1/4	
		NE 1/4 SE 1/4	
		SE 1/4 SE 1/4	
		SW 1/4 SE 1/4	
		Section 36	
	NE 1/4 NE 1/4		
	SE 1/4 NE 1/4		
	NE 1/4 SE 1/4		
	SE 1/4 SE 1/4		
Township 2 North, Range 3 West, WM	Section 18	NW 1/4 SW 1/4	
		SW 1/4 SW 1/4	
	Section 19	NW 1/4 NW 1/4	
		SW 1/4 NW 1/4	
		NW 1/4 SW 1/4	
		SW 1/4 SW 1/4	
	Section 29	SW 1/4 SW 1/4	
	Section 30	NW 1/4 NW 1/4	
		SW 1/4 NW 1/4	
		NW 1/4 SW 1/4	
		SW 1/4 SW 1/4	
		SE 1/4 SW 1/4	
		SW 1/4 SE 1/4	
		SE 1/4 SE 1/4	
	Section 31	NW 1/4 NW 1/4	
		SW 1/4 NW 1/4	
		NW 1/4 SW 1/4	
		SW 1/4 SW 1/4	
		NE 1/4 NW 1/4	
		SE 1/4 NW 1/4	
		NE 1/4 SW 1/4	
		SE 1/4 SW 1/4	
		NW 1/4 NE 1/4	
		SW 1/4 SE 1/4	
		NE 1/4 NE 1/4	
		SE 1/4 NE 1/4	
	Section 32	NW 1/4 NW 1/4	
		SW 1/4 NW 1/4	

INFO: CITY OF BANKS

SOURCE: TWO UNNAMED STREAM

DIV PT: CONCRETE DAMS IN STREAM W/ 4" PIPE → 500 GAL → 500,000 GAL

MOTOR } GRAVITY
PUMP } NA

PIPE: 4" → STORAGE → 6" → 500,000 GAL STORAGE
USE: MUNICIPAL 150 MAX FROM WEST STREAM 50 MAX FROM EAST STREAM

LIFT: MINUS A WHOLE BUNCH } 500' / QUAD
✓ QUAD DIV PT → STORAGE

TIE: 41067 589 1042

Russell V. Kline

LRI 7/28/93

$$\frac{50}{448.8} = .111$$

$$\frac{150}{448.8} = .334$$

.09 PERMITTED

ALLOW

.09 PERMITTED



STATE OF OREGON

County of WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 65611 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to City of Banks, Oregon, a Municipal Corporation of 150 NE Banks Road, Banks, Oregon 97106, phone 324-2251, for the use of the waters of two unnamed streams, tributaries of the West Fork of Dairy Creek; being 0.09 cubic foot per second from each stream, for the PURPOSE of municipal

that the PRIORITY OF THE RIGHT dates from August 25, 1983

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.18 cubic foot per second

The POINT OF DIVERSION is to be LOCATED: Diversion 1 - 250 feet South and 1000 feet East from the W 1/4 Corner, Section 7; Diversion 2 - 250 feet South and 1150 feet East from the W 1/4 Corner, both being within the NW 1/4 SW 1/4 of Section 7, Township 2 North, Range 3 West, WM, in the County of Washington.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

Township 2 North, Range 4 West, WM	Section 13	NE 1/4 SE 1/4 ✓	Municipal
		SE 1/4 SE 1/4 ✓	
	Section 24	NE 1/4 NE 1/4 ✓	
		SE 1/4 NE 1/4 ✓	
		NE 1/4 SE 1/4 ✓	
		SE 1/4 SE 1/4 ✓	
	Section 25	NE 1/4 NE 1/4 ✓	
		SE 1/4 NE 1/4 ✓	
		NE 1/4 SE 1/4 ✓	
		SE 1/4 SE 1/4 ✓	
	Section 36	SW 1/4 SE 1/4 ✓	
		NW 1/4 NE 1/4 ✓	
NE 1/4 NE 1/4 ✓			
SE 1/4 NE 1/4 ✓			
Township 2 North, Range 3 West, WM	Section 18	NW 1/4 SW 1/4 ✓	
		SW 1/4 SW 1/4 ✓	
	Section 19	NW 1/4 NW 1/4 ✓	
		SW 1/4 NW 1/4 ✓	
		NW 1/4 SW 1/4 ✓	
	Section 29	SW 1/4 SW 1/4 ✓	
		Section 30	NW 1/4 NW 1/4 ✓
	Section 31	SW 1/4 NW 1/4 ✓	
		NW 1/4 SW 1/4 ✓	
		SW 1/4 SW 1/4 ✓	
		NE 1/4 NW 1/4 ✓	
		SE 1/4 NW 1/4 ✓	
NE 1/4 SW 1/4 ✓			
SE 1/4 SW 1/4 ✓			
NW 1/4 NE 1/4 ✓			
SW 1/4 SE 1/4 ✓			
NE 1/4 NE 1/4 ✓			
SE 1/4 NE 1/4 ✓			
Section 32		NW 1/4 NW 1/4 ✓	
	SW 1/4 NW 1/4 ✓		

Actual construction work shall begin on or before February 15, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

Complete application of the water to the proposed use shall be made on or before October 1, 1986.

Witness my hand this 15th day of February, 1984.

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

STATE OF OREGON
COUNTY OF WASHINGTON
PROPOSED CERTIFICATE OF WATER RIGHT

DRAFT

THIS CERTIFICATE ISSUED TO

CITY OF BANKS
150 NE BANKS ROAD
BANKS, OREGON 97106

confirms the right to use the waters of 2 UNNAMED STREAMS, a tributary of WEST FORK DAIRY CREEK, for MUNICIPAL PURPOSES.

This right was perfected under Permit 48173. The date of priority is AUGUST 25, 1983. This right is limited to 0.18 CUBIC FOOT PER SECOND, BEING 0.09 FROM EACH STREAM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 3 (NW 1/4 SW 1/4), SECTION 7, T 2 N, R 3 W, W.M.; EAST DIVERSION - 280 FEET SOUTH AND 1140 FEET EAST; WEST DIVERSION - 290 FEET SOUTH AND 1090 FEET EAST; BOTH LOCATED FROM THE WEST QUARTER CORNER OF SECTION 7.

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

A description of the place of use to which this right is appurtenant is as follows:

WITHIN THE SERVICE BOUNDARIES OF THE CITY

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

DRAFT



STATE OF OREGON

INTEROFFICE MEMO

TO: File No. 65611

DATE: 4/16/85

FROM: Larry W. Lebowsek

SUBJECT: Water Policy Review Board Action

The City of Banks appl. no. 65611 requested an exception to the Tualatin River program statement to allow municipal use from Aug. 1 thru Sept 15 of each year. This was considered and allowed on Dec. 16, 1983 which is the priority date of this use for municipal purposes. The priority dates should be corrected at the time of proof as the permit cannot allow more than the applicant requested [ORS 537.190(1)]



11959 #

SW

8-25-83

Application No. **65611**
Permit No. **48173**

Name City of Banks, OR., A Municipal Corporation
Address 150 NE Banks Road, Banks, OR 97106

Assigned

Address

Beginning construction **FEB 15 1985**

Completion of construction **OCT 1 1985**

Extended to

Complete application of water **OCT 1 1986**

Extended to

Permit No.....

Application for Permit to Appropriate Surface Water

AUG 25 1983

WATER RESOURCES DEPT.
SALEM, OREGON

.....
(Name of Applicant)

.....
(Mailing Address)

(Zip Code)

1. The source of the proposed appropriation istwo unnamed streams.....

....., a tributary of West fork of Dairy Creek.....

(N. or S.)

(E. or W.)

(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

1.150 feet East from the West 1/4 corner pg Section 7, T2N, R3W, W.M.

..... being within the ... N.W., $\frac{1}{4}$ of the S.W., $\frac{1}{4}$ of

(N. or S.)

(E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

See Sheet No. 1

0491c

4. The amount of water which the applicant intends to apply to beneficial use is 0.09
cubic feet per second (Source No. 1) and 0.09 CFS (Source No. 2).
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is ...Municipal.....

6.

DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

Source No. 1--Diversion dam is a small concrete intake structure approx.

2.5 feet high and 8 feet long, water is diverted into a 6 inch steel
pipeline.

Source No. 2--Diversion dam is a small concrete intake structure approx.

2.5 feet high and 8 feet long, water is diverted into a 6 inch steel
pipeline.

If for domestic use state number of families to be supplied 358 connections in 1982

7. Construction work will begin on or before construction completed in early 1950's

8. Construction work will be completed on or before construction completed in early 1950's

9. The water will be completely applied to the proposed use on or before (applied to proposed use
since early 1950's)

Application No. 65611

Permit No.

Sheet No. 1

Item 3

RECEIVED

AUG 25 1983

**WATER RESOURCES DEPT.
SALEM, OREGON**

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 1/4 Section</u>	<u>Use</u>
2N	4W	13	NE1/4 SE 1/4	Municipal
			SE1/4 SE 1/4	
		24	NE 1/4 NE 1/4	
			SE1/4 NE 1/4	
			NE1/4 SE 1/4	
			SE1/4 SE 1/4	
			SE1/4 SE 1/4	
		25	NE1/4 NE 1/4	
			SE1/4 NE 1/4	
			NE1/4 SE 1/4	
			SE1/4 SE 1/4	
			SW1/4 SE 1/4	
		36	NW1/4 NE 1/4	
			NE1/4 NE 1/4	
			SE1/4 NE 1/4	
			NE1/4 SE 1/4	
			SE1/4 SE 1/4	
2N	3W	18	NW1/4 SW 1/4	
			SW1/4 SW 1/4	
		19	NW1/4 NW 1/4	
			SW1/4 NW 1/4	
			NW1/4 SW 1/4	
			SW1/4 SW 1/4	
		29	SW1/4 SW 1/4	
			NW1/4 NW 1/4	
			SW1/4 NW 1/4	
			NW1/4 SW 1/4	
			SW1/4 SW 1/4	
		30	SE1/4 SW 1/4	
			SW1/4 SE 1/4	
			SE1/4 SE 1/4	
			NW1/4 NW 1/4	
			SW1/4 NW 1/4	
		31	NW1/4 SW 1/4	
			SW1/4 SW 1/4	
			NE1/4 NW 1/4	
			SE1/4 NW 1/4	
			NE1/4 SW 1/4	
		32	SE1/4 SW 1/4	
			NW1/4 NE 1/4	
			SW1/4 SE 1/4	
			NE1/4 NE 1/4	
			SE1/4 NE 1/4	
		32	NW1/4 NW 1/4	
			SW1/4 NW 1/4	

Application No. 65611
Permit No.

RECEIVED

OCT 13 1983

**WATER RESOURCES DEPT.
SALEM, OREGON**

Remarks:.....

In the early 1950's the City of Banks constructed intakes on the
two unnamed streams indicated herein and beneficially used water from
these streams for municipal purposes on a continual basis to this date.

Present population served by Banks water system is 652 persons. Anticipated
service population by 2000 is estimated to be 1021. Banks presently uses the
full flow of the two streams during minimum streamflow periods

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Howard Steinbach, Mayor
Signature of Applicant

Mayor Howard Steinbach, City of Banks

This is to certify that I have examined the foregoing application, together with the accompanying maps
and data, and return the same for..... correction and completion

In order to retain its priority, this application must be returned to the Water Resources Director with
corrections on or before November 22, 19 83

WITNESS my hand this 22nd .. day of..... September, 19 83

Chris L. Wheeler, Deputy..... Water Resources Director

By *Wayne J. Overcash*
Wayne J. Overcash

RECEIVED
OCT 13 1983
WATER RESOURCES DEPT.
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the
25th day of August, 19 83, at 8:00 o'clock
A.M.

Application No. 65611

Permit No.

Application No. 65611

Permit No. 7-148

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same **SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD** and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.18 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from two unnamed streams being 0.09 cfs from each stream

The use to which this water is to be applied is municipal

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated.....

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

The priority date of this permit is August 25, 1983

Actual construction work shall begin on or before..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of....., 19.....

6223

KNOW ALL MEN BY THESE PRESENTS, That Humphrey Parry and Floesia Parry, husband and wife

in consideration of Three Hundred and no/100 (\$300.00) Dollars, and other valuable considerations to them paid by City of Banks in the County of Washington, State of Oregon

do hereby grant, bargain, sell and convey unto said City of Banks

its heirs 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:

The northwest one quarter (NW 1/4) of the southwest one quarter (SW 1/4) of Section seven (7) Township Two (2) North, Range Three (3) West of the Willamette Meridian. Also the north one half (N 1/2) of the northeast one quarter (NE 1/4) of the southwest one quarter (SW 1/4) of Section 7, Township 2 North Range 3 West of the Willamette Meridian.

The grantee herein is hereby given the use of the logging road as it is now laid out on adjoining land. As part of the consideration for the above mentioned property the grantee agrees to keep the said logging road in a reasonable state of repair up to the point where it joins the county road.

RECEIVED

AUG 24 1983

WATER RESOURCES DEPT.
SALEM, OREGON

To Have and to Hold the above described and granted premises unto the said City of Banks in the County of Washington, State of Oregon

its heirs and assigns forever

Humphrey Parry and Floesia Parry, husband and wife the grantor &
do hereby grant, bargain, sell and convey unto said City of Banks with the above named grantor its heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances.

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, except as above mentioned.

Witness our hands and seals this 15th day of July, 1966.

Executed in the Presence of

[Signature]

Humphrey Parry (SEAL)
Floesia Parry (SEAL)

Application No. 65611
Permit No. 48173

Book 264
pg 147

CITY of BANKS

BANKS, OREGON

RECEIVED

AUG 24 1983

WATER RESOURCES DEPT.
SALEM, OREGON

August 24, 1983

Oregon Department of Water Resources
Mill Creek Office Park
555 13th. N.E.
Salem, Oregon 97310

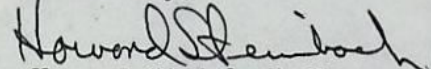
Gentlemen;

Submitted herewith is our application for the appropriation of water from two small streams in Section 7, T2N, R3W, W.M., Washington County, Oregon. Application is made for municipal use which is not in accordance with the Water Policy Review Board's policy of December 9, 1980 for the Tualatin Basin. The Board's policy sets the use for water as human and livestock consumption from July 31 through September 15 of each year.

The City of Banks request that the attached application be reviewed and classified as municipal use in accordance with ORS 536.380.

Thank you,

Sincerely,


Howard Steinbach, Mayor
City of Banks
Banks, Or. 97106

Enclosed: Check to Oregon Dept. Water Resources
\$65.00
3 Plan and Profile Supply stem
1 Reverse Plan and Profile System
Application

Application No. 65611
Permit No.



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

September 1, 1983

City of Banks
150 Northeast Banks Road
Banks, OR 97106

REFERENCE: File 65611

We have received your application for use of water for municipal along with the supporting data and fees. Our Receipt 38041 is enclosed. Your application has been filed and assigned number 65611.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will be considered for approval shortly after the mandatory 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will be reviewed in detail and will be returned for completion or correction within 45 days.

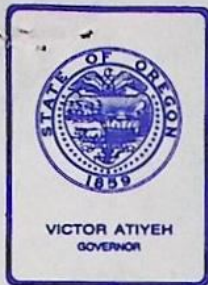
If your application is approved, the project described in the application will be subject to the Water Policy Review Board's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Sincerely,

RALPH H. JACKSON, Supervisor
Application/Permit Section

RHJ:wpc
enclosures

0003/X
8223B



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

September 22, 1983

Howard Steinbach, Mayor
City of Banks
150 NE Banks Road
Banks, OR 97106

Dear Mr. Steinbach:

REFERENCE: File 65611

Your Application 65611 describing the proposed use of 0.18 cubic foot per second, being 0.09 cfs from each of two unnamed streams for municipal use; together with the separate sheet [Sheet 1] for Item 3 of the application, one sepia print and three regular prints of the supporting map, and a deed copy; has been reviewed.

Your letter advising that you are aware of the Water Policy Review Board's policy statement for the Tualatin Basin and requesting that your application be reviewed and classified as municipal use in accordance with ORS 536.380 was also received.

If you wish to be allowed to use water for municipal purposes during the entire year, including the period from July 31 through September 15 of each year, being the period the water are classified only for human and livestock consumption, you may petition the Water Policy Review Board for a change or modification in the basin program. I am enclosing instructions for such petition.

We will also need a little more information on your application.

The present population to be served, and, as near as may be, the future requirements of the city will need to be noted. This information may be supplied in the Remarks Section of the application.

Items 7, 8 and 9 will need to be completed. If you do not intend to have any additional services connected under the terms of a permit approving this application and you have used the 0.18 cfs for municipal uses, this information may be noted. However, if you have not beneficially used all the 0.18 cfs and additional services may be connected on within the next few years, you should indicate what has been accomplished to date and further note the date the construction work will be completed for the additional services and when you intend to apply the 0.18 cfs for municipal use to the full extent intended.

There appears to be an error on the separate Sheet 1 in listing the area to be supplied in the SW 1/4 SW 1/4 of Section 25. According to the map, this area should have been designated as the SW 1/4 SE 1/4. If you agree, the sheet should be amended to be in agreement with the map.

Howard Steinbach, Mayor
September 22, 1983
page two

I am returning your application along with Sheet 1 for completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before November 22, 1983.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

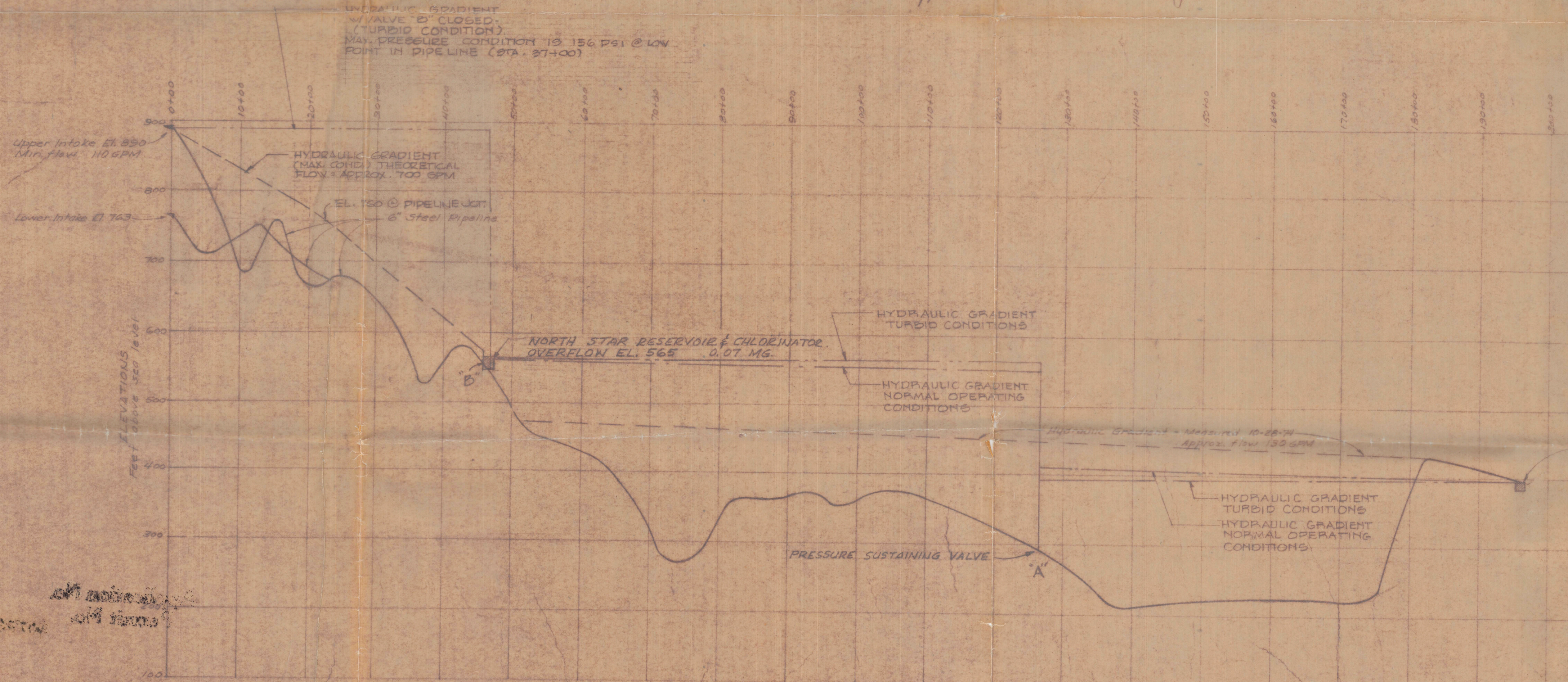
WJOwpc

cc: Klein Consulting Engineers
Clayton Gardner, Watermaster

enclosures
8487B



NOTE:
SHADED AREA
IS THE CITY OF
BANKS SERVICE AREA



WATER RIGHTS

Certificate No. 5353
 Priority Date - October 3, 1923
 Source - Springs
 Location - SE 1/4 NE 1/4, Sect. 12, T2N, R4W W.M.
 Quantity - 0.42 CFS.

PROPERTY RIGHTS

Location	Dead Bl. Sq.	Date	Area
E 1/2 of SE 1/4 NE 1/4, 12, T2N, R4W	158/448	8/6/1935	20 Ac.
NW 1/4 SW 1/4, 7, T2N, R3W	264/107	7/15/1946	40 Ac.
N 1/2 of NE 1/4 SW 1/4, 7, T2N, R3W	264/107	7/15/1946	20 Ac.
SE 1/4 of SW 1/4, 7, T2N, R3W	264/145	8/15/1946	40 Ac.
Less part of SE 1/4 SW 1/4, 7	308/159	10/11/1936	52 Ac. ±
Reservoir Site SW 1/4 of 30, T2N, R3W (125/125)	132/241	1/12/1926	116.8 Ac. ± 0.26 Ac. (D.S.)

RECEIVED
AUG 20 1988
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 65611
Permit No. 48173

3-3-83 3 UPDATE FOR RSI IMPROVEMENTS AND SOUTH BANKS AREA ANNEXATION 1-28-81 2 ADDED NEW H.D. GRADE NOTES, RES. #2, REMOVED NOTES 8-28-80 1 ADDED HYO. GRADE NOTES & PROP. TREATMENT PLANT ONE		DESIGNED DMK DRAWN CHECKED BY	APPROVED SCALE: HORIZ. 1"=1000' VERT. 1"=100' DATE: OCT 1974 FILE	KLEIN CONSULTING ENGINEERS CIVIL ENGINEERS - PLANNERS FOREST GROVE, OREGON	CITY OF BANKS, ORE.	PLAN AND PROFILE WATER SUPPLY SYSTEM	SHEET 1
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	----------------------------------------	----------------------------------------------------------------------------	-----------------------------------------------------------------------------------------	----------------------------	-------------------------------------------------------	---------

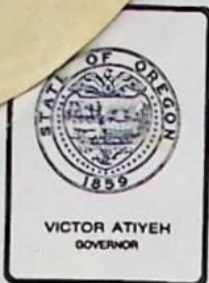
CASCADE ARCHITECTURAL & ENGINEERING SUPPLIES CO.

February 17, 1984

City of Banks, Oregon, a Municipal Corporation
150 NE Banks Road
Banks, Oregon 97106

65611

48173



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3671

December 21, 1983

The Honorable Howard Steinbach
Mayor
City of Banks
150 NE Banks Rd.
Banks, OR 97106

Dear Mayor Steinbach,

On December 16, 1983, the Water Policy Review Board voted not to review the application by the City of Banks for the appropriation of 0.18 cfs from two unnamed springs, tributary to West Fork Dairy Creek for municipal use. The action allows the Water Resources Department to accept the application (#65611) as for the uses requested in your letter of October 10, 1983. The application and supporting data will be subject to normal processing. If you have any questions, please contact Larry Jebousek (378-8453) of the Water Rights Division.

Sincerely,

WILLIAM H. YOUNG
Director

WHY:jt

cc: Larry Jebousek, Water Rights Division ✓
Clayton Gardner, Watermaster
Glen Carter, DEQ
Lou Fredd, Department of Fish and Wildlife
Andy Klein, Klein Engineering

9818B

*original of this with
copy of application and
two maps to Tom Kline
Oct. 14, 1983*

Date 10/10/83

Oregon Water Resources Department
Mill Creek Office Park
555 13th N.E.
Salem, Oregon 97310

RECEIVED
OCT 13 1983
WATER RESOURCES DEPT
SALEM, OREGON

ATTN: Water Policy Review Board

Gentlemen,

The City of Banks, Oregon, a Municipal Corporation, 150 N.E. Banks Rd., Banks, Oregon 97106 respectfully petitions Oregon's Water Policy Review Board to classify our application 65611 for the appropriation of water as municipal use in accordance with ORS 536.380.

During the early 1950's the City of Banks developed two small streams in Section 7, T2N, R3W, W.M. for municipal water supply purposes. Development consisted of intakes and pipelines which connected to an existing supply system. (See attached map). The City did not submit an application for appropriating the water at that time.

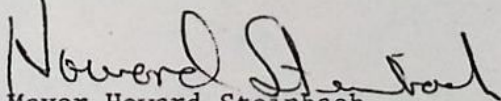
The proposed appropriation is for 0.09 cubic feet per second (40 gallons per minute) from each of the two sources.

The City has two other sources of water supply as shown on the attached map. The upper intake (commonly known as the big spring) located in Section 12 can supply 110 gallons per minute. A recently developed well in Section 31 can produce 250 gallons per minute and is used only to supplement the existing gravity sources.

Continued use of the two sources for which application has been made is important to the City as they provide an uninterrupted supply of water on a gravity basis. There are energy and cost savings by virtue of the fact that pumping is not required for utilization of this source.

To the best of our knowledge there are no known objections to the proposed classification, it will not have major adverse impacts, it is not likely to conflict with future applications for classified uses and it is not inconsistent with acknowledged comprehensive plans or applicable land use regulations.

Thank you for your consideration,



Mayor Howard Steinbach
City of Banks



65611 *why*

Department of Environmental Quality

Donell / Larry
RECEIVED

DEC 2 1983

**WATER RESOURCES DEPT.
SALEM, OREGON**

522 S.W. FIFTH AVENUE, BOX 1760, PORTLAND, OREGON 97207 PHONE: (503) 229-5696

December 1, 1983

W. H. Young, Director
Water Resources Department
555 13th Street, N.E.
Salem, OR 97310

Dear Mr. Young:

By cover letter of November 21, 1983, and other pertinent information sent to your Board Chairman, you announce the receipt of an application from the City of Banks for right to appropriate 0.18 cfs of water from springs tributary to West Fork of Dairy Creek.

In a separate memorandum, also dated November 21, 1983, your staff evaluated background information relevant to the application and offered three outstanding reasons why they believe it would be appropriate for you to accept the application.

We have carefully reviewed all of the information package and agree with your staff recommendation that the application be accepted.

Sincerely,

Glen D. Carter

Glen D. Carter
Aquatic Biologist
Water Quality Division

GDC:g
WG2984

RECEIVED

NOV 16 1983

**WATER RESOURCES DEPT/
SALEM, OREGON**

Oregon Department of Water Resources
Mill Creek Office Park
555 13th NE
Salem, Oregon 97310

RE: File 65611

ATTN: Becky Kreag

Dear Ms. Kreag,

This is in response to your recent telephone call to Klein Engineering regarding energy and cost savings to the City of Banks through the use of two small streams (Water Right Application 65611) as opposed to pumping an equal amount of water from the City's well supply. We understand that this information is significant to the Water Policy Review Board in its determination regarding issuance of a permit to appropriate the gravity water.

First, we wish to advise you that the two small streams for which application has been made have been in continuous use as a source of supply for Banks since 1933. In an earlier letter (October 1983) to the Water Policy Review Board we incorrectly stated that these two small streams were developed in the early 1950's.

If we assume that we receive 80 gallons of water per minute from the two springs on a year around basis in lieu of pumping from the well, energy and cost savings amount to 48,046 KWH and \$1826 (annually) using Portland General Electric Company's rate of \$0.03801/KWH.

In addition to the user rate, PGE has a demand charge which currently averages about \$70.00 per month at the well. It is difficult to pro-rate this charge for the two streams, however, we feel \$120 per year is reasonable which would bring the annual cost savings to about \$1,950 assuming year around operation.

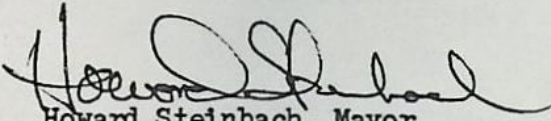
Use of water on a year around basis from the two streams may not be a reasonable assumption at this time, however, with the given growth rate of the City and surrounding area it is conceivable that the streams could be utilized fully within twenty years.

If we assume that the two small streams are only a supplement to the big spring (the primary supply) and are only needed for a 100 day period during the summer months, energy and cost savings are then 13,346 KWH and \$537 annually which includes \$30.00 for demand.

We trust that this will give you the needed information.

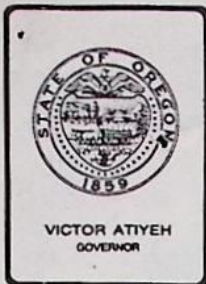
It should be noted that the City of Banks operates on a very marginal budget and has only part time help in operating and maintaining its water system. A \$500 item is significant.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Howard Steinbach", written in a cursive style.

Howard Steinbach, Mayor
City of Banks

Banks, Or. 97106



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310
November 21, 1983

PHONE 378-3671

Ralf Hakanson, Chairman
Water Policy Review Board
821 Locust St.
Oakland, OR 97462

Dear Mr. Hakanson,

Notice is hereby given, under the provisions of ORS 536.380, that I intend to accept an application for a water use not included in an existing basin program statement.

The application will be submitted by the City of Banks for municipal use of 0.18 cfs from two springs tributary to West Fork of Dairy Creek. The surface water of Tualatin River and its tributaries are classified in the Lower Willamette River Basin Program for human and livestock consumption only during July 31 through September 15, each year, except for stored water.

The proposed use of water does not appear to conflict with future applications for classified uses or create any known adverse impacts on other water uses in the area.

Under ORS 536.380 (2b) any person, state agency or public corporation of this state or any agency of the federal government objecting to the proposed action must file to protest with the Board within 25 days.

If there is no notification from the Water Policy Review Board of its intent to review the application within 30 days, the party will be advised that the application will be accepted. The application and supporting data will be subject to normal processing procedures including review for conformance with this department's regulations.

Sincerely,

WILLIAM H. YOUNG
Director

WHY:jt

cc: Water Policy Review Board
Department of Fish and Wildlife
Washington Co. Planning
Department of Environmental Quality
Clayton Gardner, Watermaster
Water Rights Division
Ground Water Division
Health Division
City of Banks

Date 10/10/83

Oregon Water Resources Department
Mill Creek Office Park
555 13th N.E.
Salem, Oregon 97310

RECEIVED
OCT 13 1983
WATER RESOURCES DEPT
SALEM, OREGON

ATTN: Water Policy Review Board

Gentlemen,

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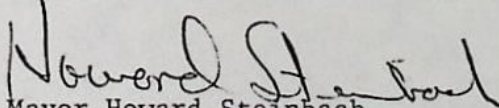
The proposed appropriation is for 0.09 cubic feet per second (40 gallons per minute) from each of the two sources.

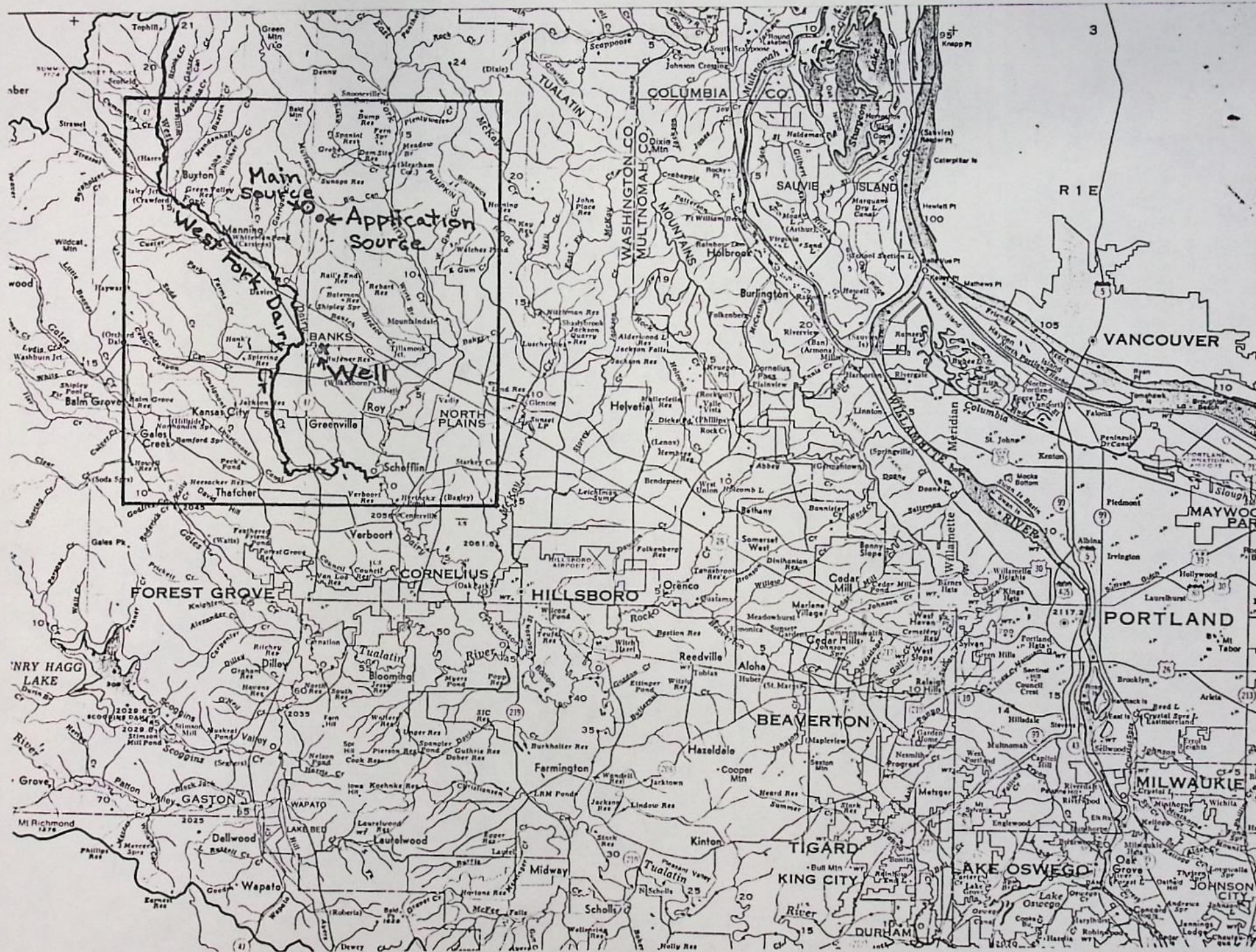
The City has two other sources of water supply as shown on the attached map. The upper intake (commonly known as the big spring) located in Section 12 can supply 110 gallons per minute. A recently developed well in Section 31 can produce 250 gallons per minute and is used only to supplement the existing gravity sources.

Continued use of the two sources for which application has been made is important to the City as they provide an uninterrupted supply of water on a gravity basis. There are energy and cost savings by virtue of the fact that pumping is not required for utilization of this source.

To the best of our knowledge there are no known objections to the proposed classification, it will not have major adverse impacts, it is not likely to conflict with future applications for classified uses and it is not inconsistent with acknowledged comprehensive plans or applicable land use regulations.

Thank you for your consideration,


Mayor Howard Steinbach
City of Banks





STATE OF OREGON

INTEROFFICE MEMO

TO: Water Policy Review Board

DATE: November 21, 1983

FROM: Staff

SUBJECT: City of Banks Exception Request

Staff Recommendation

Staff recommends that the Water Policy Review Board allow the Director to accept an application by the City of Banks for a permit to appropriate water from the Tualatin Basin for municipal use. The Lower Willamette Basin Program presently allows only human and livestock use during the period of July 31 to September 15 each year from the Tualatin River and tributaries except for stored water. It should also be noted that one of the 75 minimum perennial streamflow applications covers the West Fork of Dairy Creek. This application will be subordinate to that flow if established by the Board. Similarly, withdrawal of the SB 225 streams would also affect use of this source.

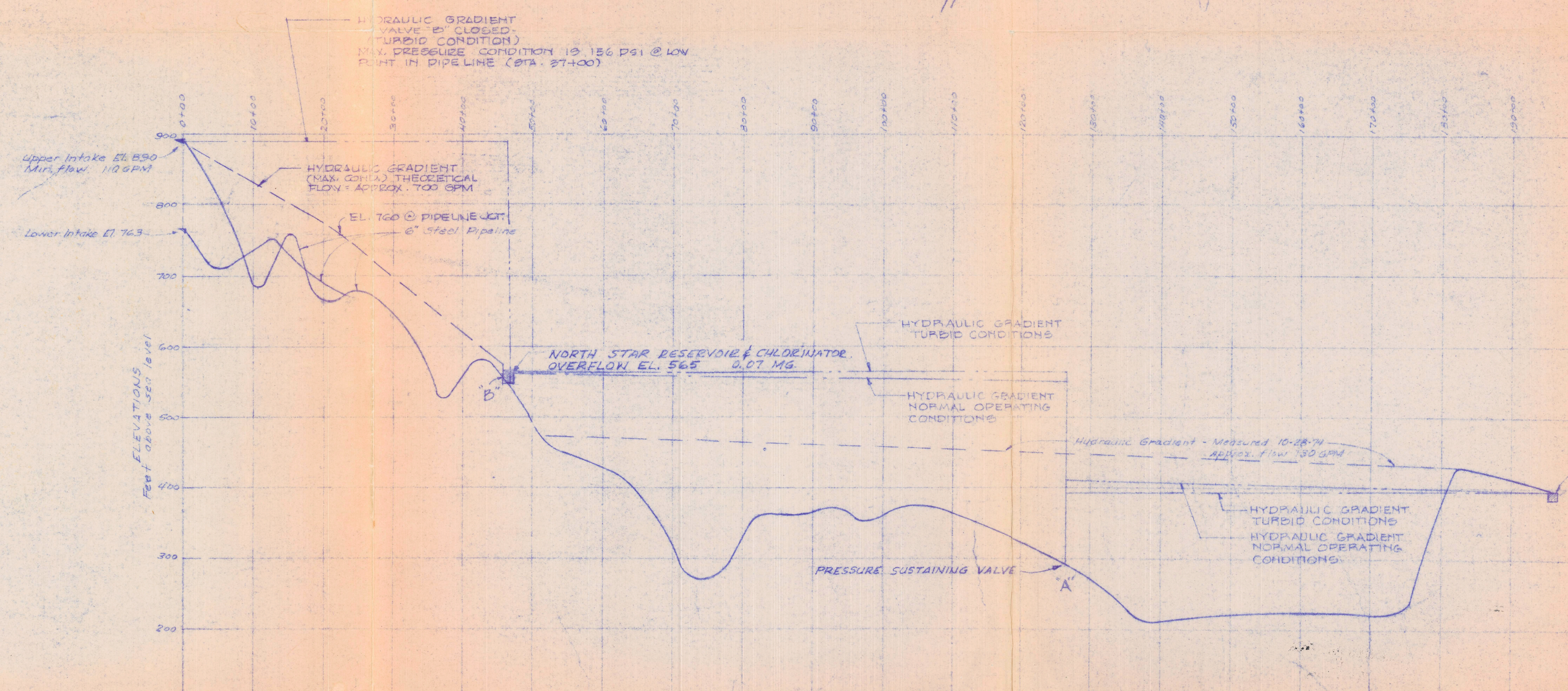
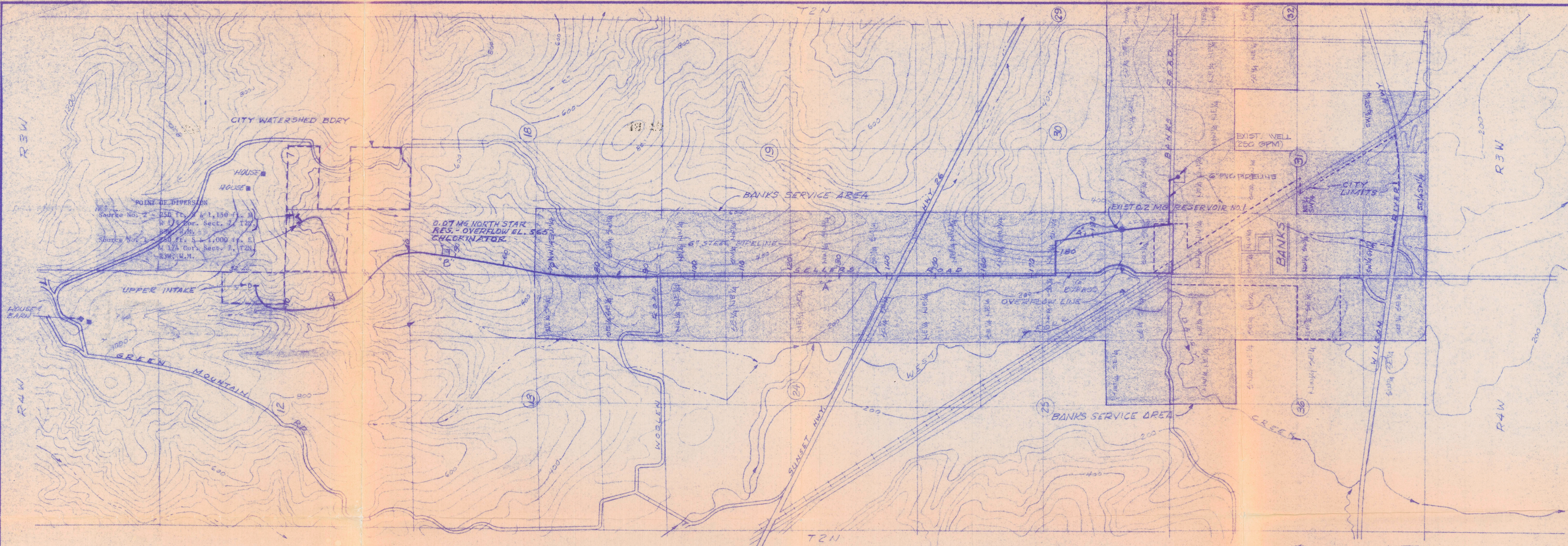
Even though there may be a potential conflict with the minimum flow application which will require future resolution, it is the opinion of the staff that acceptance of the application is appropriate for the following reasons:

1. The application represents a historic use of water which probably predates the basin program. No new impacts are expected.
2. The use involves a small quantity of water which, at least in part, is required for human and livestock consumption.
3. The City of Banks has a record of water supply problems.

The resources of this small community are limited. The available information clearly indicates that additional measures are required to meet the city's water demands. It is also apparent that denying access to the long used source will not contribute to the solution of the city's water problems.

Background
Exception Process

ORS 536.370 sets up requirements for Board review of proposed actions which are in conflict with basin program statements. The procedures, outlined further in ORS 536.380, allow the Board to permit an action without formal review after notice of the proposed action. The Board is required to review the action if a protest is filed by any person, state agency or public corporation within 25 days. The Board may also conduct



NOTE:
SHADED AREA IS THE CITY OF BANKS SERVICE AREA

WATER RIGHTS
File 9207
Certificate No. 5353
Priority Date - October 3, 1923
Source - Springs
Location - SE 1/4 NE 1/4, Sect. 12, T2N, R4W W.M.
Quantity - 0.42 CFS.

PROPERTY RIGHTS
Location - Lead 36.83
Date - Area
5/2 of SE 1/4 NE 1/4, 12, T2N, R4W - 158/448 - 5/6/1935 - 20 Ac.
NW 1/4 SW 1/4, 7, T2N, R4W - 264/147 - 7/15/1946 - 40 Ac.
NW 1/4 NE 1/4, SW 1/4, 7, T2N, R4W - 264/147 - 7/15/1946 - 20 Ac.
SE 1/4 of SW 1/4, 7, T2N, R4W - 264/145 - 8/15/1946 - 40 Ac.
Less part of SE 1/4 SW 1/4, 7 - 338/130 - 10/11/1935 - 5.2 Ac. ±

Reservoir Site - Watershed ownership - 116.8 Ac. ±
SW 1/4 at 30, T2N, R4W (125' x 125') - 132/241 - 1/12/1926 - 0.86 Ac. (Per.)

RECEIVED
AUG 25 1983
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 65611
Permit No. 48173

DESIGNED AK	APPROVED AK	<p>KLEIN CONSULTING ENGINEERS CIVIL ENGINEERS - PLANNERS FOREST GROVE, OREGON</p>	<p>CITY OF BANKS, ORE.</p> <p>PLAN AND PROFILE WATER SUPPLY SYSTEM</p>	<p>SHEET 1</p>	
DRAWN DB	SCALE HORIZ. 1"=1000' VERT. 1"=100'				DATE OCT. 1974
CHECKED SM	FILE				
BY					

DATE	NO.	REVISION
8-3-83	3	UPDATE FOR 1983 IMPROVEMENTS AND SOUTH BANKS AREA ANNEXATION
1-28-81	2	ADDED NEW HYD. GR. & NOTES, RES. #2, REMOVED NOTES
2-12-80	1	ADDED HYD. GRAD. NOTES & PROP. TREATMENT

CASCADE ARCHITECTURAL & ENGINEERING SUPPLIES CO.