

Name Henry S. Mears

By 17015

Address 4917 Upper Boone's Ferry Road

Route 1, Box 271

Tigard, Oregon

Date filed July 7, 1955

Priority July 7, 1955

Action suspended until OK Cont

Returned to applicant

Date of approval December 20, 1955

**CONSTRUCTION**

Date for beginning December 20, 1956

Date for completion October 1, 1957

Extended to

Date for application of water October 1, 1958

Extended to

**PROSECUTION OF WORK**

Form "A" filed

Form "B" filed Completed

Form "C" filed July 17, 1958

**FINAL PROOF**

MARCH 3 1961

Blank mailed

Proof received

Date certificate issued APRIL 5 1961

August 30, 1976

Application No. 30117

Permit No. 23771

Certificate No. ~~28198~~ 43617 & 48414

Stream Index, Page No. 2-62-A-8

Ch. pt. of div. Sp. On Vol. 27, P. 42

See T-3294

**FEEES PAID**

Date	Amount	Receipt No.
<u>7-7-55</u>	<u>15.00</u>	<u>4141</u>

B. P. Fee	\$1 Cert. Fee	Check No.
<u>3-13-61</u>		<u>29041</u>

**FEEES REFUNDED**

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

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**REMARKS**

0.36 c.f.s. from Tualatin River and Faone Creek for irrigation of 29 acres

P.K. 05  
RECEIVED  
JUL 18 1955  
STATE ENGINEER  
SALEM OREGON

Form C

**IMPORTANT**—This form is a notice to the State Engineer that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

**NOTE:** In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated. Fill out, detach and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. 30117

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

I, Henry S. Mears, Agent, the holder of Permit No. 23771

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 30th day of September, 1955.

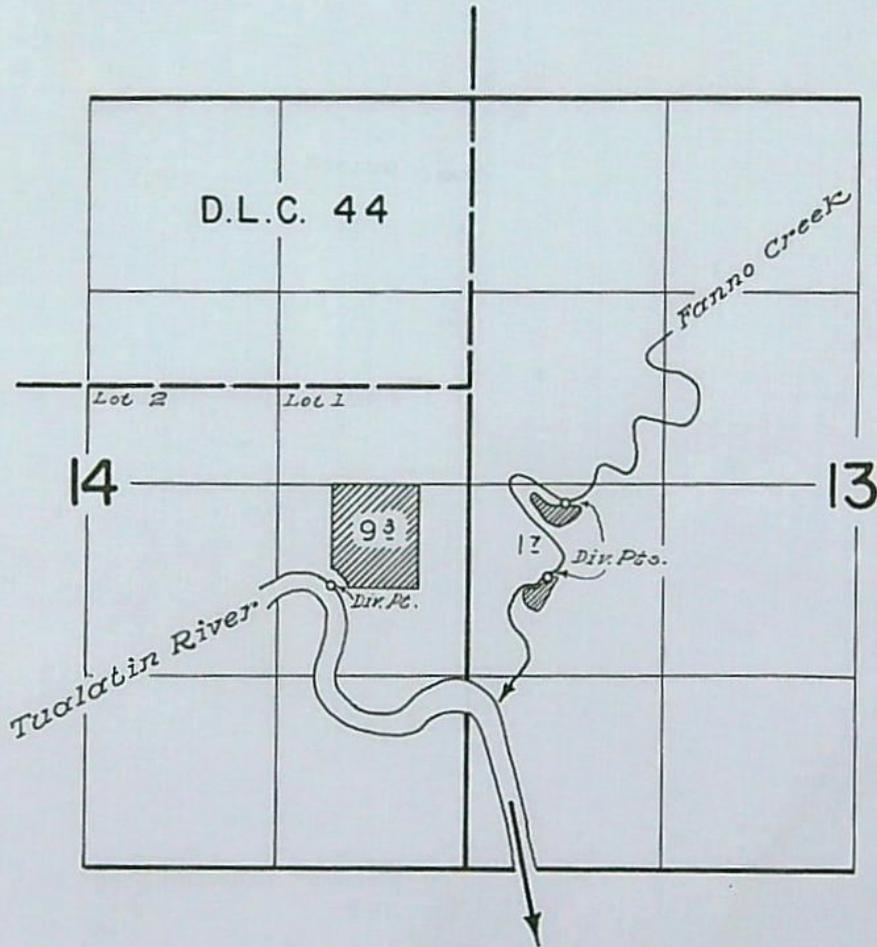
Remarks: This will be applied annually

IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of July, 1955

Henry S. Mears, Agent  
(Signature of Applicant)

(Rt. 1, Box 271), Tigard, Oregon  
17015 Upper Borne Ferry Road

T.2S.R.1W.W.M.



FINAL PROOF SURVEY  
UNDER

Application No. 30.117... Permit No. 23.771.  
IN NAME OF

HENRY S. MEARS

Surveyed May 23, 1960, by



2

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN M. THOMAS

of 16575 S.W. 85th Ave., Tigard, State of Oregon, 97223 has made proof to the satisfaction of the Water Resources Director of a right to the use of the waters of Tualatin River

a tributary of Willamette River for the purpose of irrigation of 9.3 acres

under Permit No. 23771 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed, dates from July 7, 1955

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.12 cubic foot per second, if available at the original point of diversion; NE 1/4 SE 1/4, Section 14, T. 2 S., R. 1 W., W. M., 1940 feet North and 950 feet West from the SE Corner, Section 14

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SE 1/4, Section 14, T. 2 S., R. 1 W., W. M., 1320 feet South and 30 feet West from the E 1/2 Corner, Section 14

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

RECEIVED

AUG 07 2007

WATER RESOURCES DEPT SALEM OREGON

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

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

9.3 acres NE 1/4 SE 1/4 Section 14, T. 2 S., R. 1 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered May 10, 1976 and together with certificate of water right recorded at Page 43617, Volume 35, State Record of Water Right Certificates supersedes certificate of water right recorded at Page 28498, Volume 20, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in reference to DRS 540.610:

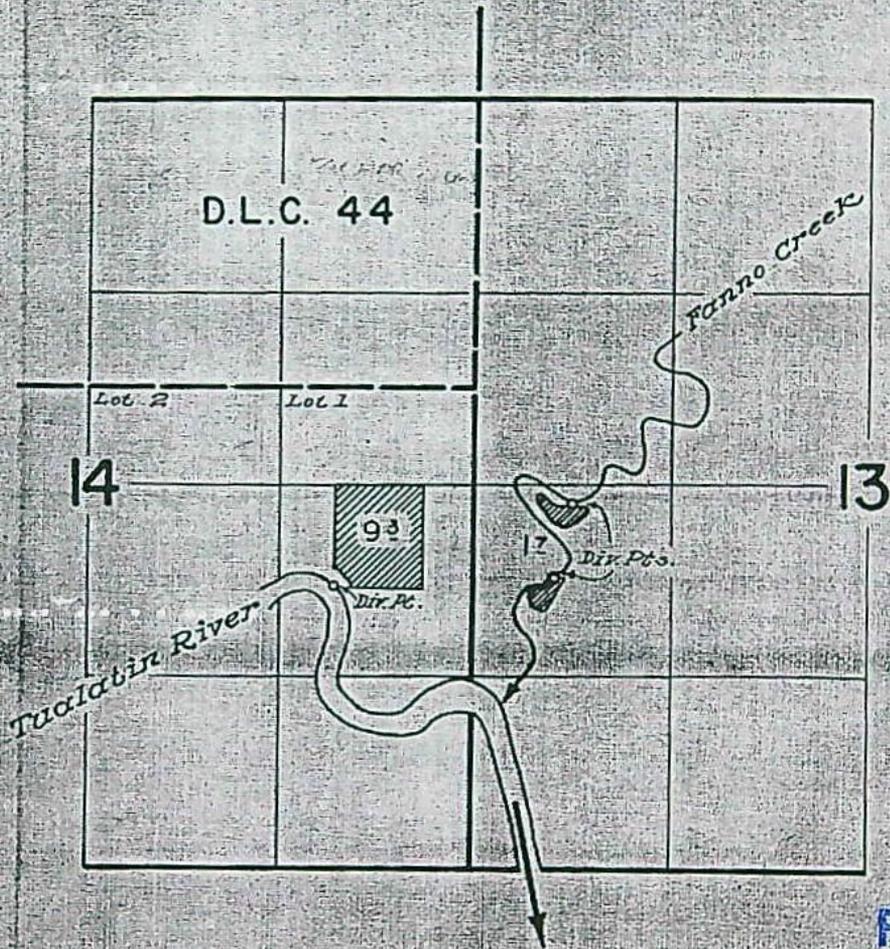
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date, July 23, 1979.

James E. Seaman Water Resources Director

T.2S.R.1W.W.M.



RECEIVED

AUG 07 2007

WATER RESOURCES DEPT  
SALEM OREGON

FINAL PROOF SURVEY  
UNDER

Application No. 30117 Permit No. 23771  
IN NAME OF

HENRY S. MEARS

Surveyed May 23, 1960, by *[Signature]*



**CHICAGO TITLE INSURANCE COMPANY**

10135 SE Sunnyside Road Suite 200

Clackamas, OR 97015

Phone (503) 786-3940 Fax (503) 653-7833

**= METROSCAN PROPERTY PROFILE =**

**Washington (OR)**

**OWNERSHIP INFORMATION**

Reference Parcel # : 2S114DA 00100 ✓  
 Parcel Number : R0519576 RTSQ: 01W -02S -14 -SE  
 Owner : Clean Water Services  
 CoOwner :  
 Site Address : \*no Site Address\*  
 Mail Address : 2550 SW Hillsboro Hwy Hillsboro Or 97123  
 Telephone : Owner: 503-681-3600 Tenant:

**SALES AND LOAN INFORMATION**

Transferred : 09/06/1996 Loan Amount :  
 Document # : 80099 Multi-parcel Lender :  
 Sale Price : \$850,000 Loan Type :  
 Deed Type : Warranty Interest Rate :  
 % Owned : 100 Vesting Type :

**ASSESSMENT AND TAX INFORMATION**

Market Land : \$245,200 Exempt Amount :  
 Market Structure : Exempt Type :  
 Market Other : % Improved :  
 Market Total : \$245,200 Levy Code : 02374  
 06-07 Taxes : Millage Rate : 15.7510  
 Assessed Total : School Dist : Tigard

**PROPERTY DESCRIPTION**

Map Grid : Class Code :  
 Census : Tract: Block:  
 NbrhdCd : 4TLO MillRate :  
 Sub/Plat :  
 Land Use : 9492 Misc, Unified Sewerage Agency  
 Legal : ACRES 24.52, UNZONED FARMLAND LIEN  
 : \$15440.47, NON-ASSESSABLE, UNZONED  
 : FARMLAND-POTENTIAL ADDITIONAL TA...

**RECEIVED**

AUG 07 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

**PROPERTY CHARACTERISTICS**

Bedrooms :	Lot Acres :	24.52	Year Built :
Bathrooms :	Lot SqFt :	1,068,091	EffYearBlt :
Heat Method :	BsmFin SF :		Floor Cover :
Pool :	BsmUnfinSF :		Foundation :
Appliances :	BsmLowSF :		Roof Shape :
Dishwasher :	Bldg SqFt :		Roof Matl :
Hood Fan :	1stFlrSqFt :		InteriorMatl :
Deck :	UpperFISF :		Paving Matl :
Garage Type :	Porch SqFt :		Const Type :
Garage SF :	Attic SqFt :		Ext Finish :
	Deck SqFt :		



## CHICAGO TITLE INSURANCE COMPANY

10135 SE Sunnyside Road Suite 200

Clackamas, OR 97015

Phone (503) 786-3940 Fax (503) 653-7833

=METROSCAN PROPERTY PROFILE=

Washington (OR)

### OWNERSHIP INFORMATION

Reference Parcel # : 2S114AD 00100 ✓  
 Parcel Number : R0517435 RTSQ: 01W -02S -14 -NE  
 Owner : Clean Water Services  
 CoOwner :  
 Site Address : 16575 SW 85th Ave Portland 97224  
 Mail Address : 2550 SW Hillsboro Hwy Hillsboro Or 97123  
 Telephone : Owner: 503-681-3600 Tenant:

### SALES AND LOAN INFORMATION

Transferred : 09/06/1996 Loan Amount :  
 Document # : 80099 Multi-parcel Lender :  
 Sale Price : \$850,000 Loan Type :  
 Deed Type : Warranty Interest Rate :  
 % Owned : 100 Vesting Type :

### ASSESSMENT AND TAX INFORMATION

Market Land : \$2,095,800 Exempt Amount :  
 Market Structure : Exempt Type :  
 Market Other : % Improved :  
 Market Total : \$2,095,800 Levy Code : 02374  
 06-07 Taxes : Millage Rate : 15.7510  
 Assessed Total : School Dist : Tigard

### PROPERTY DESCRIPTION

Map Grid : 685 F1 Class Code :  
 Census : Tract: 308.04 Block: 2  
 NbrhdCd : 4TLO MillRate :  
 Sub/Plat :  
 Land Use : 9492 Misc, Unified Sewerage Agency  
 Legal : ACRES 13.08, UNZONED FARMLAND LIEN  
 : \$21023.02, NON-ASSESSABLE, UNZONED  
 : FARMLAND-POTENTIAL ADDITIONAL TA...

**RECEIVED**

AUG 07 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

### PROPERTY CHARACTERISTICS

Bedrooms :	Lot Acres : 13.08	Year Built :
Bathrooms :	Lot SqFt : 569,764	EffYearBlt :
Heat Method :	BsmFin SF :	Floor Cover :
Pool :	BsmUnfinSF :	Foundation :
Appliances :	BsmLowSF :	Roof Shape :
Dishwasher :	Bldg SqFt :	Roof Matl :
Hood Fan :	1stFlrSqFt :	InteriorMatl :
Deck :	UpperFISF :	Paving Matl :
Garage Type :	Porch SqFt :	Const Type :
Garage SF :	Attic SqFt :	Ext Finish :
	Deck SqFt :	

*2007*



**CHICAGO TITLE**  
Insurance Company

After Recording, Return to:  
Unified Savings Agency  
133 North First Avenue, #270  
Hillsboro, Oregon 97124

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

same as above

**GRANTOR WARRANTY DEED**  
(Individual)

John M. Thomas and Sally P. Thomas, Husband and Wife

conveys and warrants to  
Unified Savings Agency of Washington County

the following described real property in the State of Oregon and County of Washington  
So as of encumbrances, except as specifically set forth herein:  
(Continued)

CHICAGO TITLE INS. CO. 158999

The Account Number(s): R317435 281140-00100 AND R619576 281140-00100

This property is free of encumbrances, EXCEPT:  
(Continued)

The total consideration for this conveyance is \$850,000.00 which is paid to an escrowator.  
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLA-  
TION OF APPLICABLE LAW AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT,  
THE SIGNER SIGNING FOR TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPLICABLE CITY  
OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USE AND TO DISCLOSE ANY LITIGATION OR LAW-  
SUITS AFFECTING THE PROPERTY DESCRIBED AS SET FORTH IN ORS 20.930.

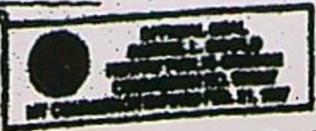
DATED this 5<sup>TH</sup> day of September, 1996.

*John M. Thomas*  
John M. Thomas

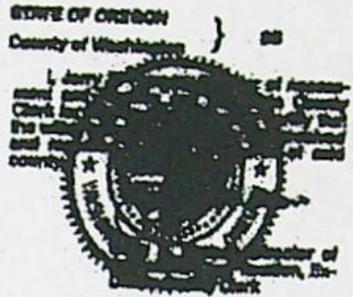
*Sally P. Thomas*  
Sally P. Thomas

STATE OF OREGON, COUNTY OF WASHINGTON)ss.  
The foregoing instrument was acknowledged before me this 5<sup>TH</sup> day of September, 1996, by  
John M. Thomas and Sally P. Thomas, Husband and Wife.

*James R. Bell*  
Notary Public for Oregon  
My Commission Expires:



Order No.: 65843a



Doc : 96080099  
Ract: 171352 23.00  
09/06/1996 11:18:33am

(Above Space Reserved for Recorder's Use)

RECEIVED  
AUG 07 2007  
WATER RESOURCES DEPT  
SALEM OREGON

**SPURIOUS INTEREST DEED  
(CONTINUED)**

LEGAL DESCRIPTION (Continued)

Order No.: 458943r

**PARCEL I**

A part of Section 14, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as:

Beginning at the one-quarter section post between Sections 13 and 14, said Township and Range; thence North along the section line, 68 3/4 rods to a right of way deduced to Owen W. Sawyer; thence West 40 rods; thence South 68 3/4 rods; thence East 40 rods to the place of beginning.

**EXCEPTED THEREFROM** that portion described as follows:

A portion of that tract of land in Section 14, Township 2 South, Range 1 West, of the Willamette Meridian, conveyed to the Willjens Corporation, by Deed as recorded at Page 831 of Volume 288, Washington County, Oregon Deed Records, and more particularly described as beginning at a point on the East line of said Section at a point which is South 1921.1 feet from the Northeast corner of said Section; thence from the point of beginning, West 295.2 feet; thence South parallel to the East line of said Section, 295.2 feet; thence East 295.2 feet to a point on the East line of said Section; thence North along the East line of said Section, 295.2 feet to the place of beginning.

**FURTHER EXCEPTED THEREFROM** that portion described as follows:

**BEGINNING** at a point on the East line of said Section 14 that is 1921.1 feet South of the Northeast corner of said Section 14, said point being the Northeast corner of a tract of land conveyed to Unified Sewerage Agency, by Deed recorded April 15, 1977 in Book 1198, Page 415; thence West following the North line of said Unified Sewerage Agency Tract and the westerly extension thereof, a distance of 375.0 feet; thence North parallel within the East line of said Section 14, a distance of 242.0 feet; thence East parallel within the North line of said Unified Sewerage Agency Tract, a distance of 375.0 feet to a point on the East line of said Section 14; thence South following the East line of said Section 14, a distance of 242.0 feet to the point of beginning.

**PARCEL II**

A part of that tract of land in Sections 13 and 14, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon, conveyed to Malville Smith, et ux, by Deed, recorded in Book 176, Page 287, Washington County, Oregon Deed Records, more particularly described as follows:

Beginning at the one-quarter corner on the East line of Section 14, Township 2 South, Range 1 West, of the Willamette Meridian; and running thence West along the North line of the South one-half of said Section 14, a distance of 1175.0 feet to an iron, which iron is the Northeast corner of that tract of land conveyed to Washington County, by Deed, recorded April 9, 1902, in Book 480, Page 414, Deed Records of Washington County, Oregon; thence South at right angles to said North line and along said Washington County Tract, 545.8 feet to an iron; thence continuing South 75 feet, more or less, to the center of the Tualatin River; thence downstream in the center of said river, 800 feet, more or less, to the North line of the Southeast one-quarter of the Southeast one-quarter of said Section 14; thence East along the North line of the Southeast one-quarter of the Southeast one-quarter of said Section 14, 980 feet, more or less, to the West boundary of the S.P. & F.R.R. right of way; thence Northerly along said R.R. boundary, 1330 feet, more or less, to the North line of the Southeast one-quarter of Section 13, Township 2 South, Range 1 West, of the Willamette Meridian; thence West, 75 feet, more or less, to the place of beginning.

**RECEIVED**

AUG 07 2007

WATER RESOURCES DEPT  
SALEM OREGON

**SEWERAGE AND WATER SERVICE DEED**  
(Continued)

**RECOMMENDATIONS (Continued)**

Order No.: 454943r

Taxes for the fiscal year 1996-97, a lien in an amount yet to be determined, but not yet payable.

The assessment roll and the tax roll disclose that the subject premises were or are specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

The subject property lies within the boundaries of the Unified Sewerage Agency and is subject to the laws and assessments thereof.

Right, title and interest of the State of Oregon in and to that portion of the subject property lying below the ordinary high water line of the Tualatin River, as of February 14, 1889.

(Affects Parcel II) :

Any adverse claim based on the assertion that any portion of the subject property has been created by artificial means or has accreted to such portions so created, or based on the provisions of O.R.S. 174.903 through 174.940.

(Affects Parcel II)

Any adverse claim based upon the assertion that some portion of the subject property has been removed there or brought within the property's boundaries by an avulsive movement of the Tualatin River or has been formed by the process of accretion or reliction.

(Affects Parcel II)

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation and other rights of the public, Indian tribes or governmental bodies in and to the waters of the Tualatin River.

(Affects Parcel II)

The rights of the public, governmental bodies, and public utilities, in and to that portion of the herein described property lying within the limits of S.W. 89th Avenue and any other roads and highways.

An easement created or disclosed by instrument, including the terms and provisions thereof,

Recorded : December 31, 1977 in Book 411 Page 42  
In favor of : West Coast Telephone Company  
For : Right of way and line easement  
Affects : A portion of Parcel II; see document for details

An easement created or disclosed by instrument, including the terms and provisions thereof,

Dated : July 30, 1979  
Recorded : August 15, 1979 as Recorder's Fee No. 79032693  
In favor of : Unified Sewerage Agency of Washington County  
For : Easement  
Affects : A portion of Parcel I, please see recorded document for details

**RECEIVED**

AUG 07 2007

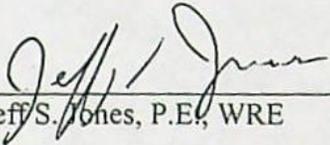
WATER RESOURCES DEPT  
SALEM, OREGON



**REMARKS:** On behalf of Clean Water Services, we are submitting the enclosed Ownership Update forms with attachments for the eleven water right certificates listed above. Please do not hesitate to contact me at 503-225-9010 with any questions or comments you may have regarding the enclosed. Thank you.

COPY TO: Steve Kebbe, P.E., WRE  
Clean Water Services

SIGNED:

  
Jeff S. Jones, P.E., WRE

**RECEIVED**  
AUG 07 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

## Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
<a href="#">Select</a>	▷ HENRY S MEARS RT 1 BOX 271 TIGARD, OR 97223	S30117	S23771	28498				CN
<a href="#">Select</a>	▷ HENRY S MEARS RT 1 BOX 271 TIGARD, OR 97223	S30117	S23771	43617			▷ <a href="#">T3294</a> (Remaining)	NC
<a href="#">Select</a>	▷ JOHN M THOMAS 16575 SW 85TH AV TIGARD, OR 97223	S30117	S23771	48414			▷ <a href="#">T3294</a> (Confirming)	NC

[Help understanding and working with the Water Rights Information System](#)

Download: [Point of diversion data](#), [Place of use data](#), [Stakeholder data](#)

[Return to WRIS Query](#)

<b>T-3294</b>																					
<b>Contact Information</b>	<b>Transfer Information</b> <small>View all scanned documents</small>																				
<p>▼ <b>Current contact information</b></p> <p>▶ APPLICANT: JOHN M THOMAS 16575 SW 85TH AV TIGARD, OR 97223</p>	<p>▼ <b>Status</b></p> <p>▶ Type: Regular</p> <p>▶ Status: Completed</p> <p>▶ Begin Date: n/a</p> <p>▶ End Date: n/a</p> <p>▼ <b>Proposed Action</b></p> <p>▶ Point of Diversion</p> <p>▼ <b>Orders associated with rights in the transfer</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">▶ Volume-Page</th> <th style="width: 20%;">Signature</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>27-142</td> <td>5/10/1976</td> <td>APPROVES TRANSFER APPL NO. 3294</td> </tr> </tbody> </table>	▶ Volume-Page	Signature	Description	27-142	5/10/1976	APPROVES TRANSFER APPL NO. 3294														
▶ Volume-Page	Signature	Description																			
27-142	5/10/1976	APPROVES TRANSFER APPL NO. 3294																			
<b>Processing History</b>																					
Staff Person Responsible: no caseworker currently assigned																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Process Step</th> <th style="width: 25%;">Date Initiated</th> <th style="width: 25%;">Estimated Completion Date</th> <th style="width: 25%;">Date Completed</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>Claim of Beneficial Use Due</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Received</td> <td>8/14/1975</td> <td></td> <td>8/14/1975</td> <td></td> </tr> <tr> <td>Final Order Issued</td> <td>5/10/1976</td> <td></td> <td>5/10/1976</td> <td></td> </tr> </tbody> </table>		Process Step	Date Initiated	Estimated Completion Date	Date Completed	Remarks	Claim of Beneficial Use Due					Received	8/14/1975		8/14/1975		Final Order Issued	5/10/1976		5/10/1976	
Process Step	Date Initiated	Estimated Completion Date	Date Completed	Remarks																	
Claim of Beneficial Use Due																					
Received	8/14/1975		8/14/1975																		
Final Order Issued	5/10/1976		5/10/1976																		
<b>Rights this impacts</b>																					
n/a																					
<b>Results of the transfer</b>																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Application</th> <th>Permit</th> <th>Certificate</th> <th>Decree</th> <th>Claim</th> </tr> </thead> <tbody> <tr> <td>Cert:43617 RR *</td> <td>S30117</td> <td>S23771</td> <td>43617</td> <td></td> <td></td> </tr> <tr> <td>Cert:48414 CF *</td> <td>S30117</td> <td>S23771</td> <td>48414</td> <td></td> <td></td> </tr> </tbody> </table>			Application	Permit	Certificate	Decree	Claim	Cert:43617 RR *	S30117	S23771	43617			Cert:48414 CF *	S30117	S23771	48414				
	Application	Permit	Certificate	Decree	Claim																
Cert:43617 RR *	S30117	S23771	43617																		
Cert:48414 CF *	S30117	S23771	48414																		

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION }  
OF JOHN M. THOMAS FOR THE APPROVAL }  
OF A CHANGE IN POINT OF DIVERSION }  
OF WATER FROM TUALATIN RIVER }  
-----

ORDER APPROVING  
TRANSFER NO. 3294

On August 14, 1975, John M. Thomas filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Tualatin River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Henry S. Mears and recorded at Page 28498, Volume 20, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.12 cubic foot per second of water from Tualatin River for the irrigation of 9.3 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 14, Township 2 South, Range 1 West, W.M., with a date of priority of July 7, 1955. These lands are irrigated from a point of diversion located 1940 feet North and 950 feet West from the Southeast corner of Section 14, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 2 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1300 feet North and 10 feet West from the Southeast corner of Section 14, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 2 South, Range 1 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Hillsboro, Oregon, on April 28, 1976, at 9:30 a.m. The notice was published in the Tigard Times, a newspaper printed and having general circulation in Washington County, Oregon, for a period of three weeks

in the issues of March 4, 11 and 18, 1976. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Tualatin River, to wit:

From a point located 1940 feet North and 950 feet West from the Southeast corner of Section 14, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 2 South, Range 1 West, W.M.

To a point to be located 1300 feet North and 10 feet West from the Southeast corner of Section 14, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 2 South, Range 1 West, W.M.

for the irrigation of 9.3 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 14, Township 2 South, Range 1 West, W.M., with a date of priority of July 7, 1955, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1977.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.12 cubic foot per second.

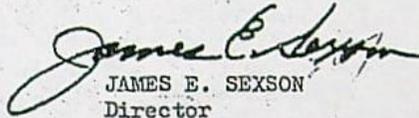
It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed.

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

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

It is FURTHER ORDERED that the certificate of water right heretofore issued to Henry S. Mears and recorded at Page 28498, Volume 20, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to John M. Thomas confirming the change in point of diversion.

Dated at Salem, Oregon, this 10th day of May, 1976.

  
JAMES E. SEXSON  
Director

STATE OF OREGON  
 COUNTY OF WASHINGTON  
**CERTIFICATE OF WATER RIGHT**

*This Is to Certify, That*                      HENRY S. MEARS

17015 Upper Boone's Ferry Road  
 of Rt. 1 Box 271                      Tigard                      , State of Oregon, 97223                      , has made  
 proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
 Fanno Creek

a tributary of Willamette River                      for the purpose of  
 irrigating 1.7 acres

under Permit No. 23771                      and that said right to the use of said waters has been perfected in  
 accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from  
 July 7, 1955  
 that the amount of water to which such right is entitled and hereby confirmed, for the purposes  
 aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed  
 0.02 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
 The point of diversion is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 13, T. 2 S., R. 1 W., W. M.

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

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.  
 A description of the place of use under the right hereby confirmed, and to which such right  
 is appurtenant, is as follows:

1.7 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 13  
 T. 2 S., R. 1 W., W. M.

An order of the Water Resources Director entered May 10, 1976 approved a change  
 in point of diversion for the irrigation of 9.3 acres. This certificate is issued  
 to confirm the remaining right not involved in the change and supersedes the  
 certificate heretofore issued to Henry S. Mears recorded at Page 28498,  
 Volume 20, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place  
 of use herein described, and is subject to the existing minimum flow policies  
 established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed  
 this date. August 30, 1976

James E. Saxton  
 Water Resources Director

Supervised by  
Cert. No. 42617-448414  
1 Sp. Or. Vol. 27, p. 142  
(77-3294)

STATE OF OREGON  
COUNTY OF Washington

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HENRY S. WEARS  
17015 Upper Boone's Ferry Road  
of Route 1, Box 271 Tigard, State of Oregon, has made proof  
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
Tualatin River and Fanno Creek  
a tributary of Willamette River for the purpose of  
irrigation of 11.0 acres

under Permit No. 23771 of the State Engineer, and that said right to the use of said waters  
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby  
confirmed dates from July 7, 1955

that the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed  
0.11 cubic foot per second, being 0.12 c.f.s. from Tualatin River and 0.02 c.f.s.  
from Fanno Creek,

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
The point of diversion is located in the NW 1/4 SW 1/4, Sec. 13, and NE 1/4 SE 1/4, Sec. 11, T. 2 S.,  
R. 1 W., W.M.

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

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.  
A description of the place of use under the right hereby confirmed, and to which such right is  
appurtenant, is as follows:

- 1.7 acres NW 1/4 SW 1/4 (from Fanno Creek)  
Section 13
- 9.3 acres NE 1/4 SE 1/4 (from Tualatin River)  
Section 11  
T. 2 S., R. 1 W., W.M.

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

WITNESS the signature of the State Engineer, affixed

this date. APRIL 5 1961

LEWIS A. STANLEY  
State Engineer

1D-14

Drafted  
2/14/61  
LJ

Permit No. 23771

Application No. 30117

County Washington

### Proof of Appropriation of Water

Photo Survey DFR-1D-14  
23 May 1960  
R. Jackson

1. Name Henry S. Mears 2. Address 17015 Upper Boone's Ferry Rd...  
Route 1 Box 271 - Tigard, Ore.
3. Source of supply Tualatin River & Fanno Cr. being 0.27 cfs from Tualatin River & 0.09 cfs from Fanno Creek
- Tributary of Willamette River
4. Amount of water 0.36 cfs 5. Priority date July 7, 1955
6. Use Irrigation - 1/80th and 2 1/2 a.c. of 11.0 Acs.
7. Location of point of diversion NE 1/4 SE 1/4, Sec. 14, T2S., R1W., W.M.  
NW 1/4 SW 1/4, Sec. 13, T2S., R1W., W.M.  
(Legal Subdivision)
8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
2 S	1 W	13	NW 1/4 SW 1/4 (from Fanno Creek)	7 1.7
		14	NE 1/4 SE 1/4 (from Tualatin River)	22 9.3
				11.0
From Warranty Deed in Book 176 Page 287 Washington County.				
N 1/2 of SE 1/4 Sec. 14 and N 1/2 of SW 1/4 Sec. 13, T2S., R1W., WM				
Exception 1:- 1.51 acres contained on Oregon Electric right of way along said Sec. line between Secs. 13 and 14.				
Exception 2:- 9.7 acres in Sec. 14, N 1/2 of SE 1/4 and lying South of the Tualatin River.				
Exception 3:- 2 acres South of the Tualatin River in N 1/2 of SE 1/4 of Sec. 14.				
Exception 4:- Any portion lying between boundaries of public roads and highways.				

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this ..... day of .....

19.....

REPORT OF PERSON MAKING INSPECTION

Description of works: Information from Henry Mears

Fanno Creek: Diverts as shown to irrigate 2 small fields on E. side of creek.

usually { Pump: Jaeger Cent. Div. Dr. 1 1/2" x 1 1/2"  
Motor: Lawson 1 cy gasoline Mod RSC 22848  
Sometimes { Pump: Pacific Model J.W. 3 G., Cent. Div. Dr. 1 1/4" x 1 1/2"  
Motor: Briggs & Stratton Model A 1 cy gas

Pipe: Plastic: 1 1/2" @ 1 1/4" 1" @ 3/4" 300' total

Head: 6 Rain Bird #20, 3/16"

For field W. of RR - Information from John Thomas, renter  
Cent Div Dr

Pump: ? Cent. Div. Dr. } in shop for repairs

Motor: Wisconsin 2 cy gasoline

Pipe: 950' x 3" } Alum  
360' x 4" }

Heads 9 Rain Bird #30, 5/32" x 3/16"

3 - - #40 5/32" x 7/32"

Crop: pasture - No Note as to Tie or method of drafting -  
lift: 18' max

I, R Jackson, do hereby certify that I have made an inspection of the works described herein and in Permit No. 23771, on the 23 day of May, 1960, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of \_\_\_\_\_ and I recommend the issuance of water right certificate for this amount. (Quantity of water in second-feet or acre-feet)

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return this form without your signature, with a full report by letter.

R Jackson  
(Name)  
Field Engineer  
(Title)

14 15

$\frac{1}{4}$  cor between Sec. 14 & 13 T25. R1W. WM.

576°58' E 67'

1.0 A

55°21' E 875' E  
5.0 A

22.0 A

55°06' W

55°24' W 1316'

ORE. ELECT. RY.

NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$

1.0 A

Fanno Creek

Portable Pumping

Portable Pumping

Portable Pumping

TUALATIN RIVER

TUALATIN VALLEY HOMES

Part of  
EASTHAM PROPERTY  
Sec. 13 & 14, T25. R1W  
Scale 1" = 200'

Traced from County Surveyor's  
Plot, May 1955.

30117

NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$

CRAY

RECEIVED  
MAR 13 1961  
STATE ENGINEER  
SALEM, OREGON

## STATE OF OREGON

COUNTY OF Washington

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That **HENRY S. MEARS**  
17015 Upper Boone's Ferry Road  
of Route 1, Box 271 Tigard, State of Oregon, has made proof  
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
**Tualatin River and Fanno Creek**  
a tributary of Willamette River for the purpose of  
**irrigation of 11.0 acres**

under Permit No. **23771** of the State Engineer, and that said right to the use of said waters  
has been perfected in accordance with the laws of Oregon, that the priority of the right hereby  
confirmed dates from **July 7, 1955**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed  
**0.11 cubic foot per second, being 0.12 c.f.s. from Tualatin River and 0.02 c.f.s.  
from Fanno Creek,**

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
The point of diversion is located in the **NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 13, and NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 14, T. 2 S.,  
R. 1 W., W.M.**

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

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

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

**1.7 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$  (from Fanno Creek)  
Section 13  
9.3 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$  (from Tualatin River)  
Section 14  
T. 2 S., R. 1 W., W.M.**

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

THIS IS A DRAFT OF WATER RIGHT CERTIFICATE

See other side for instructions and final proof to be executed by permittee.

STATE OF OREGON  
STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
SALEM

251 FINANCE BUILDING  
170 12TH STREET S. E.

REFER TO  
FILE NO. 30117

March 3, 1961

Mr. Henry S. Mears  
17015 Upper Boone's Ferry Road  
~~Route 1, Box 271~~  
Tigard, Oregon

Dear Mr. Mears:

On the reverse side of this paper is a copy of a draft of water right certificate to confirm the right under Permit No. 23771. You are requested to examine this draft and if you find it correctly describes the appropriation of water made, execute the following certificate. You should return this paper, along with a fee of \$1.00 for recording your water right certificate, when issued, in the office of the County Clerk.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

Return this paper to the State Engineer. Do not record in County Clerk's office.

FINAL PROOF

I have read the draft of water right certificate shown on the reverse side of this paper and as final proof of appropriation of water I hereby certify that the water has been used as described in said draft.

8 March 61  
(Date)

Henry S. Mears  
(Signature)

July 21, 1958

Henry S. Mears  
17015 Upper Boone's Berry Rd.  
Route 1 Box 271  
Tigard, Oregon

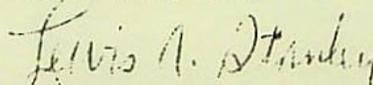
Dear Sir:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No. 23771.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date. After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,



LEWIS A. STANLEY  
State Engineer

December 20, 1955

30117

Mr. Henry S. Mears  
4917 Upper Boone's Ferry Road  
Route 1, Box 271  
Tigard, Oregon

Dear Sir:

30117, Permit No. 23771, together

with blueprint.

August 4, 1955

Mr. Henry S. Mears, Agent  
Route 1, Box 271  
Tigard, Oregon

Dear Mr. Mears;

This will acknowledge receipt of your map and application No. 30117 for a permit to appropriate  $\frac{1}{4}$  cubic feet per second from Fanno Creek and  $\frac{1}{2}$  cubic feet per second from the Tualatin River for irrigation.

The application now appears to be in satisfactory form and will be placed in line for approval for issuance of a permit.

Apparently our letter of July 8, which questioned the feasibility of portable pumping caused some misunderstanding. Portable pumping describes the method of irrigation whereby the pump is moved to a new point of diversion with each setting of the pipe lines.

No question was intended in regards to the lift. The fact that you have indicated 4 diversion points and that your pump is portable, in that it can be moved from one point to another, is not considered portable pumping, even though the using of a number of diversion points is permissible.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
Trevor Jones, Assistant

TJ:ld

HENRY S. MEARS  
4917 UPPER BOONE'S FERRY ROAD  
ROUTE 1, BOX 271  
TIGARD, OREGON

July 16, 1955.

RECEIVED  
JUL 19 1955  
STATE ENGINEER  
SALEM, OREGON

Lewis A. Stanley,  
State Engineer,  
Salem, Oregon,

File No. 30117

Dear Sir,

Replying to Mr. Wheeler's letter of July 8th.

I hope I have now made the necessary corrections  
in the above application and on the plat.

Referring to your doubt about pumping water from  
the Tualatin River with portable pumps all I can say is that  
we have already pumped water from the point designated as "A".  
The lift is no greater than that along Fanno Creek and this  
lift always varies with the stage of the water. Fanno Creek  
in our property is practically at river level.

Very truly yours,

*Henry S. Mears.*  
Agent.

HENRY S. MEARS  
4917 UPPER BOONE'S FERRY ROAD  
ROUTE 1, BOX 271  
TIGARD, OREGON

July 6, 1955.

State Engineer,  
Salem, Oregon,

Sir,

I just realized that I forgot to send check for the tax with my application for irrigation water. This is for the NW 1/4 of the SW 1/4 of sec 13 and the NE 1/4 of the SE 1/4 of sec 14, T2S, R1W.

Examination Tax	\$10 00
Recording Tax	<u>5 00</u>
	15 00

Very truly yours,

*Henry S. Mears*  
Agent.

RECEIVED  
JUL 7 1955  
STATE ENGINEER  
SALEM, OREGON

July 8, 1955

Mr. Henry S. Mears  
4917 Upper Boone's Ferry Road  
Route 1, Box 271  
Tigard, Oregon

Dear Mr. Mears:

This will acknowledge receipt of your application for a permit to appropriate  $1/4$  second foot of water from Fanno Creek and  $1/2$  second foot from Tualatin River for irrigation, sketch to accompany the application and check in the amount of \$15, for which our Receipt No. 4141 is enclosed.

The application has been examined, given File No. 30117 and a few discrepancies noted.

Under item 4 the location of the point of diversion must be given with reference to the nearest recognized identified government survey corner. If portable pumping is to be used (that is the pump moved with a new point of diversion for each setting) then the reference monument must be set and the lands through which diversion is to be made from the stream must be given.

From the sketch which you submitted it does not appear that portable pumping would be feasible from the Tualatin River. In any event the location of the point or points of diversion must be located in item 4 by listing the section, township and range that it falls within.

I am returning the application and map for your convenience in completing them as suggested above, the application being endorsed so that to retain its date of priority it must be returned to this office on or before August 8, 1955.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By

Chris L. Wheeler, Assistant

CLW:eh  
enc. 2

# STATE OF OREGON

OFFICE OF THE

## STATE ENGINEER

WATER RESOURCES DEPARTMENT

SALEM

CHAS. E. STRICKLIN, STATE ENGINEER  
SECRETARY  
STATE RECLAMATION COMMISSION  
HYDROELECTRIC COMMISSION OF OREGON

ADDRESS ALL COMMUNICATIONS  
CHAS. E. STRICKLIN, STATE ENGINEER  
SALEM, OREGON

AND REFER TO  
FILE NO. \_\_\_\_\_

PLEASE READ CAREFULLY THE FOLLOWING INSTRUCTIONS:

Your permit has been recorded in this office, but you should hold the original permit as evidence of your water right unless the land upon which the water is to be used is disposed of. In that event an assignment to the new owner should be recorded in this office. Assignment blanks will be furnished on request.

The permit, which appears on the last page of the application, limits the time within which you may begin and complete construction of your project. According to law you must begin actual construction work within one year from the date of issuance of the permit, or your right will be lost. The State Engineer is authorized to extend the time for completion of the project on proper showing, but has no authority to extend the time limit for beginning of construction work.

Forms are attached to the permit for your convenience in submitting notice when construction begins, is completed, and when the water has been completely applied to the proposed use.

A form is also enclosed for making a complete report on each well (as required by Section 116-448, O. C. L. A.). In order that knowledge may be obtained regarding the underground water resources of the state it is necessary that as complete a record as possible be kept of each well. It is therefore very important that you fill out the enclosed report on your well and submit it to the State Engineer's office as soon as your well is completed. Most of the information required in the report can be furnished by the well driller.

If your use of water is for irrigation, proof can be made only after you have actually irrigated ALL of the land described in your permit, which you intend to irrigate.

Very truly yours,

*Chas. E. Stricklin*

CHAS. E. STRICKLIN  
State Engineer

STATE OF OREGON

STATE ENGINEER  
WATER RESOURCES DEPARTMENT  
SALEM

CHAS. E. STUBBS  
STATE ENGINEER  
SALEM

Treasure

PLEASE READ CAREFULLY THE FOLLOWING INFORMATION:  
Your permit has been received in this office and you should hold the original permit as evidence of your water right unless the land upon which the water is to be used is disposed of. In that event an assignment of the new owner will be required in this office. Assignment blanks will be furnished on request.  
The permit which appears on the face of the application, lists the site where you wish to place the construction of your project, according to the plans submitted. Actual construction may begin only after the date of issuance of the permit or your first bill is paid. The date herein is intended to extend the time for completion of the project to proper amount, but not as authority to begin construction of construction of construction.  
If you are required to the permit the same conditions in existing cases when construction begins, as required, and now the water has been actually placed in the project.  
A copy is also sent to the local health department and you will be required to obtain a health department permit. That number will be stamped on the permit. The health department will also be notified of the nature of the project and the location of the project. If you wish to be notified of the progress of the project, you may so advise the State Engineer's office by mail or by telephone. In the event you are notified by mail, please advise the office.  
If you are of legal age and of legal mind, you can be made only after you have actually begun and all the time mentioned in your permit, whether you intend to continue.

MH

CHAS. E. STUBBS  
STATE ENGINEER  
SALEM

1912

30117

Washington County

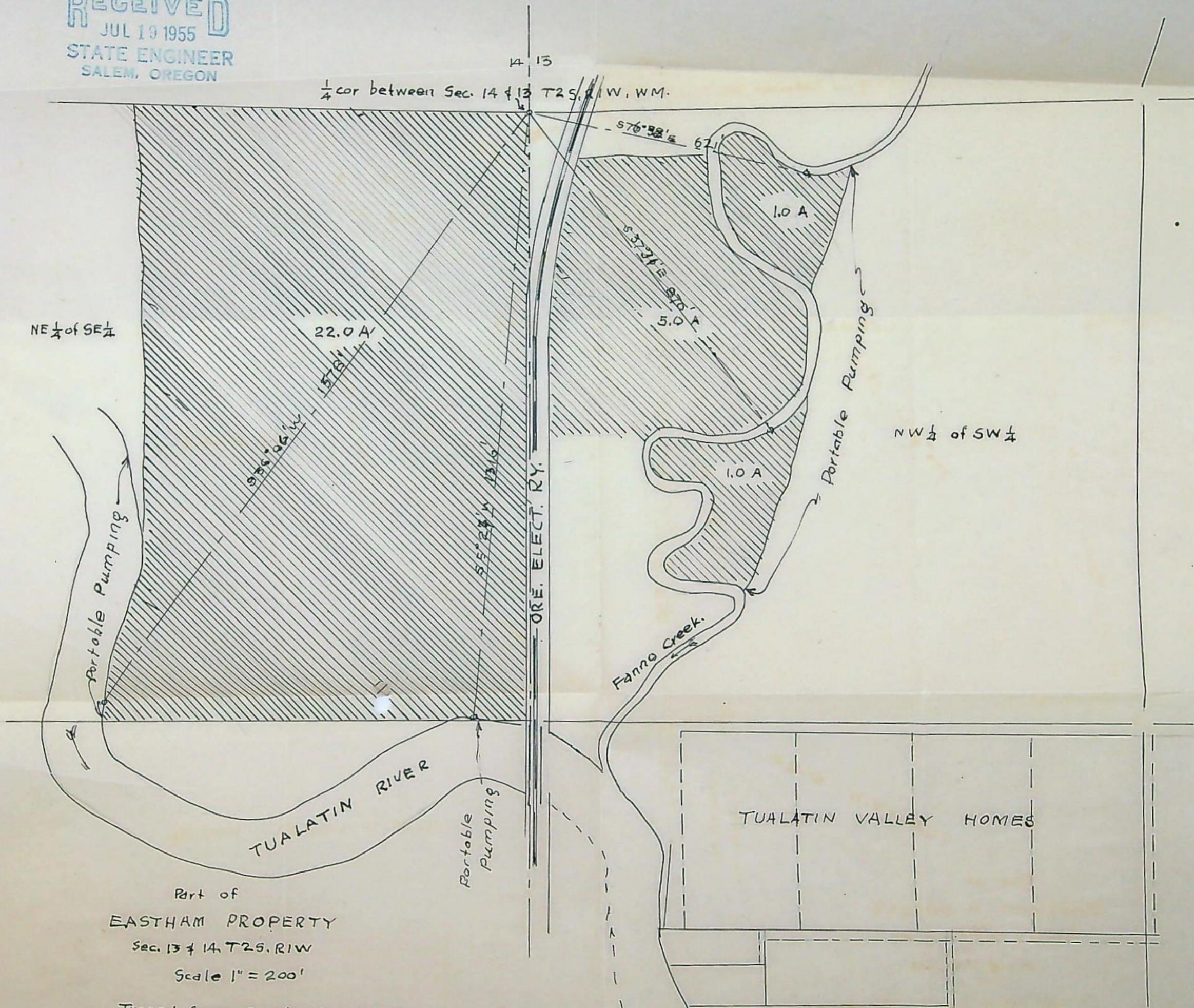
Fanno Creek &/or Tualatin R. (Willamette R.)

2S. 1W. W.M.

irrigation 0.75

7th July, 1955 1:00 P. M.

RECEIVED  
JUL 19 1955  
STATE ENGINEER  
SALEM, OREGON



Part of  
EASTHAM PROPERTY  
Sec. 13 & 14, T25. R1W  
Scale 1" = 200'

Traced from County Surveyor's  
Plot, May 1955.

RECEIVED  
JUL 5 1955  
STATE ENGINEER  
SALEM, OREGON

Application No. 30117  
Permit No. 23771