

111-25R

Name City of Milwaukee  
By Milwaukee  
Address D.R.C.  
Clackamas Co.

Application No. GR 1480  
Certificate No. GR 1429

#3

**FEEES PAID**

Date	Amount	Receipt No.
4/22/58	20-	16155

Stream Index, Page No. 2-93H ✓

Well 3, CLAC 308 KLV

**FEEES REFUNDED**

Date	Amount	Check No.

Date filed April 22, 1958 8<sup>00</sup> AM

Tentative priority 1946

Action suspended until \_\_\_\_\_

Well log filed \_\_\_\_\_

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**CONSTRUCTION**

Date for completion \_\_\_\_\_

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

Date for application of water \_\_\_\_\_

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

**REMARKS**

*A well ~~injected~~ supplies 380 gpm for municipal uses near Willamette R - Clack-*  
*See Map in GR-1478*

**PROSECUTION OF WORK**

Form "B" filed \_\_\_\_\_

Form "C" filed \_\_\_\_\_



# Oregon

Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 14, 2020

CITY OF MILWAUKIE  
10722 SE MAIN ST  
MILWAUKIE, OR 97222

REFERENCE: Groundwater Registration Modification Application T-13145

Enclosed is a copy of the final order approving recognition of your Groundwater Registration Modification application.

If you have any questions related to the approval of this application, you may contact your caseworker, Corey Courchane, by telephone at (503) 986-0825 or by e-mail at [Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov).

Sincerely,

Julie C. Baustian

Water Right Services Support

Transfers and Conservation Section

cc: Amy J. Landvoigt, Watermaster Dist. # 20 (via email)  
Owen McMurtrey, Agent  
Clackamas County  
Multnomah County

Enclosure

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

In the Matter of Groundwater	)	FINAL ORDER APPROVING
Registration Modification Application	)	RECOGNITION OF ADDITIONAL
T-13145, Clackamas County	)	POINTS OF APPROPRIATION AND A
	)	MODIFICATION IN PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

**Applicant**

CITY OF MILWAUKIE  
10722 SE MAIN STREET  
MILWAUKIE, OR 97222

**Findings of Fact**

1. On March 11, 2019, CITY OF MILWAUKIE filed a groundwater registration modification application for additional points of appropriation and to modify the place of use under Registration Application GR-1480 (Certificate of Registration GR-1429). The Department assigned the application number T-13145.
2. Notice of the application for groundwater registration modification was published on March 19, 2019, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

3. On January 23, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13145 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 24, 2020, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination.
4. On March 12, 2020, the Department issued a Preliminary Determination proposing to approve Transfer T-13145 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on March 17, 2020, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
5. The groundwater registration to be modified is as follows:

**Registration:** Application GR-1480 (Certificate of Registration GR-1429), in the name of CITY OF MILWAUKIE  
**Use:** DOMESTIC, MUNICIPAL, INDUSTRIAL  
**Tentative**  
**Priority Date:** 1946  
**Quantity:** 380 GALLONS PER MINUTE and 606 ACRE FEET PER YEAR  
**Source:** PUMP WELL #3

**Original Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	1 E	WM	25	NE SE	PUMP WELL #3 - 1630 FEET NORTH AND 600 FEET WEST FROM THE SE CORNER OF SECTION 25

**Original Place of Use:**

DOMESTIC, MUNICIPAL, INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
1 S	1 E	WM	25	SW NW
1 S	1 E	WM	25	NE SW
1 S	1 E	WM	25	NW SW
1 S	1 E	WM	25	SW SW
1 S	1 E	WM	25	SE SW
1 S	1 E	WM	25	NE SE
1 S	1 E	WM	25	NW SE
1 S	1 E	WM	25	SW SE
1 S	1 E	WM	25	SE SE
1 S	1 E	WM	26	SE NE
1 S	1 E	WM	30	SW SW
1 S	1 E	WM	31	NE NW
1 S	1 E	WM	31	NW NW
1 S	1 E	WM	31	SW NW
1 S	1 E	WM	31	SE NW
1 S	1 E	WM	35	NE NE
1 S	1 E	WM	35	NW NE

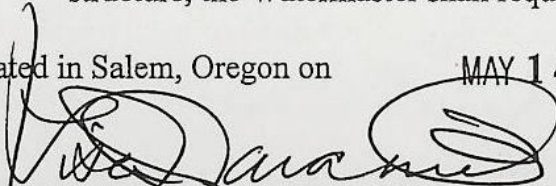
## Conclusions of Law

The additional points of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13145 are consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000.

### Now, therefore, it is ORDERED:

1. The modifications to Registration Application GR-1480 (Certificate of Registration GR-1429) proposed in Groundwater Registration Modification Application T-13145 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.
2. The use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Registration Application GR-1480 (Certificate of Registration GR-1429) and any related decree.
3. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
4. The quantity of water diverted at the new additional points of appropriation (Well 1 and New Well 2), together with that diverted at the original point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 3).
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Dated in Salem, Oregon on MAY 14 2020

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing date: MAY 15 2020

DOMESTIC, MUNICIPAL, INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
1 S	1 E	WM	35	SW NE
1 S	1 E	WM	35	SE NE
1 S	1 E	WM	35	SE SE
1 S	1 E	WM	36	NE NE
1 S	1 E	WM	36	NW NE
1 S	1 E	WM	36	SW NE
1 S	1 E	WM	36	SE NE
1 S	1 E	WM	36	NE NW
1 S	1 E	WM	36	NW NW
1 S	1 E	WM	36	SW NW
1 S	1 E	WM	36	SE NW
1 S	1 E	WM	36	SW SW
1 S	1 E	WM	36	NE SE
1 S	1 E	WM	36	NW SE
1 S	1 E	WM	36	SW SE
1 S	1 E	WM	36	SE SE

6. Groundwater Registration Modification Application T-13145 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
1 S	1 E	WM	25	NE SE	WELL 1 - 1670 FEET NORTH AND 470 FEET WEST FROM THE SE CORNER OF SECTION 25	135.7 ft.
1 S	1 E	WM	25	NE SE	NEW WELL 2 - 1420 FEET NORTH AND 665 FEET WEST FROM THE SE CORNER OF SECTION 25	220.3 ft.

7. Groundwater Registration Modification Application T-131455 also proposes to modify the place of use under the groundwater registration to:

DOMESTIC, MUNICIPAL, INDUSTRIAL
CITY OF MILWAUKIE WATER SERVICE AREA

***Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0700(2)]***

8. The proposed modifications would not result in enlargement of the groundwater registration.
9. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
10. The proposed modifications would not result in injury to other water rights.

RECEIVED  
MAR 5 1958  
STATE ENGINEER  
SALEM, OREGON

Registration Statement

REGISTRATION NO. GR-1480  
CERTIFICATE NO. GR-1429

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

TO THE STATE ENGINEER OF OREGON:

I, The City of Milwaukie

of Clackamas County of Oregon

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is Pump Well # 3  
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: Milwaukie, Oregon Tracts 6 & 7 - Zanders Addition  
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) 1630 Feet North & 600 Feet West S. E. Corn. Sec. 25  
(Give distance and bearing to corner of section or other legal subdivision)

being within Zanders Addition of Sec. S.E. 1-25, Twp. 1-S, Rge. 1-E  
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city: Milwaukie, Oregon

~~S. E. Corn. 100' x 100' Lot #6 Block #5 GR-1480 Addition~~  
Tracts ~~6 & 7~~, Block --- of Zanders Addition to Milwaukie  
(Name of plat or addition)

Milwaukie County of Clackamas  
(If within city or town, give name)

3. Construction Work was begun in 1946; was completed in 1946  
(Date) (Date)

and the ground water claimed was first used for the purposes set out below in 1946  
(Date)

since which time the water has been used Continuously  
(Continuously or Intermittently)

from 1946 to Date  
(Date) (Date)

4. Quantity of water claimed and used is 380 gallons per minute; 606 acre feet per year.

5. Purpose or Purposes for which water is used

Domestic, Municipal, Industrial  
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth 290 feet. Type Drilled  
(Dug or drilled)  
diameter 12" inches. Elevation of ground at well site 189.26 feet, mean sea level.  
(As near as known)  
Depth to water table 174 feet.

7. Capacity of Well: 585 g.p.m. with 35 feet drawdown.  
..... g.p.m. with ..... feet drawdown.

Date of test Jan. 1957 to Jan. 1958.

If Flowing Well: Measured discharge ..... g.p.m. on .....  
(Date)

Shut-in pressure at ground surface ..... lbs. per sq. in. on .....  
(Date)

Water is controlled by .....  
(Cap, valve, etc.)

8. Casing: (Give diameter, commercial specifications and depth below ground surface of each casing size.)

12" inch diameter # 3 Well from + 188.26 to - 101.74 feet  
 ..... inch diameter ..... from ..... to ..... feet  
 ..... inch diameter ..... from ..... to ..... feet  
 ..... inch diameter ..... from ..... to ..... feet

Describe and show depth of shoe, plug, adapter, liner or other details: Steel Casing.

9. Perforated Casings or Screens:

*Well #1* → Perforations 5/15" to 1 1/2 inch, 5 to the Ft. per row from 162 to 177 - 8 rows  
(Number per foot and size of perforations, or describe screen)  
*#2* → " " " " " " " " " " " " from 183 to 198 - 8 rows  
 " " " " " " " " " " " " from 202 to 214 - 4 rows  
*#3* → " " " " " " " " " " " " from 224 to 238 - 4 rows  
 " " " " " " " " " " " " from 265 to 279 - 4 rows

10. Log of Well: (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Top soil	6 Ft.	
Dry hard sand	57 Ft.	
Gravel	15 Ft.	
Yellow Clay, some water	25 Ft.	
Cement gravel	9 Ft.	
Clay	5 Ft.	
Cement gravel	43 Ft.	
Loose gravel, some water	22 Ft.	
Cement gravel	18 Ft.	
Loose gravel	5 Ft.	
Hard cement gravel	12 Ft.	
Clay	3 Ft.	
Gravel, some water	15 Ft.	
Cement gravel	48 Ft.	
Shale	7 Ft.	290 Ft.

If log of well is not available, give name and address of driller. ....

11. Infiltration Trench: Covered or open .....

Dimensions: Length ..... ft. Minimum depth ..... ft. Maximum depth ..... ft.

Bottom width ..... ft. Discharge ..... g.p.m. Date of test .....

12. Tunnel: Type of lining .....

Dimensions: .....  
(Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel .....

Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

13. Pumping Equipment:

(a) Pump *Westinghouse Turbine deep well* ..... Capacity *650* ..... g.p.m.  
(Make, type and size)

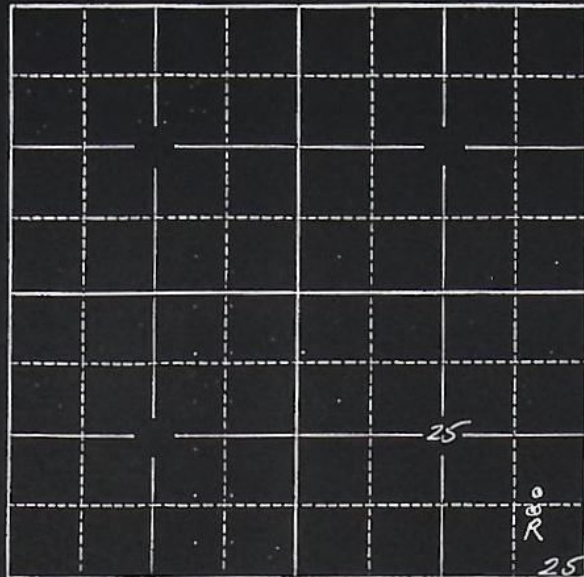
(b) Motor *General Electric induction 3 phase 50 H.P. 220 cycle 40C* .....  
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated	Date of Reclamation
1 - South	1 - East	26	S. E. $\frac{1}{4}$ N. E. $\frac{1}{4}$	<i>Municipal</i>	<i>1946</i>
1 - South	1 - East	25	S. W. $\frac{1}{4}$	"	"
1 - South	1 - East	26	S. E. $\frac{1}{4}$ N. E. $\frac{1}{4}$	"	"
1 - South	1 - East	25	S. W. $\frac{1}{4}$ N. W. $\frac{1}{4}$	"	"
1 - South	1 - East	25	S. E. $\frac{1}{4}$	"	"
1 - South	2 - East	30	S. W. $\frac{1}{4}$ S. W. $\frac{1}{4}$	"	"
1 - South	1 - East	35	N. E. $\frac{1}{4}$	"	"
1 - South	1 - East	36	N. W. $\frac{1}{4}$	"	"
1 - South	1 - East	36	N. E. $\frac{1}{4}$	"	"
1 - South	2 - East	31	N. W. $\frac{1}{4}$	"	"
1 - South	1 - East	35	S. E. $\frac{1}{4}$ S. E. $\frac{1}{4}$	"	"
1 - South	1 - East	36	S. W. $\frac{1}{4}$ S. W. $\frac{1}{4}$	"	"
1 - South	1 - East	36	S. E. $\frac{1}{4}$	"	"
1 - South	2 - East	30	S. W. $\frac{1}{4}$ S. W. $\frac{1}{4}$	"	"

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

Township 1 S Range 1 E, W.M.  
North



Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON

County of Clatsop } ss.

I, Fred S. Hancock, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

Fred S. Hancock  
City of Medford  
(Signature of Registrant)

Subscribed and sworn to before me this 3 day of March, 1958

My commission expires June 12 1961  
L. B. Muller  
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON } ss.  
County of Marion

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 22<sup>nd</sup> day of April, 1958, at 5:00 o'clock A.M. and has been duly recorded in said office in Book No. 7 of Registration Statements on page GR-1429

Witness my hand this 20<sup>th</sup> day of October, 1958

Lewis A. Stanley  
(State Engineer)

\$ 20.00

By \_\_\_\_\_  
(Deputy)

GR-1429

GR-1480

November 7, 1958

The City of Milwaukie  
Milwaukie  
Oregon

Gentlemen:

GR-1480  
GR-1429

CR-1178  
CR-1179  
CR-1180

April 28, 1958

City of Milwaukie  
Milwaukie  
Oregon

Attention: R. E. Osborne

Dear Mr. Osborne:

This will acknowledge receipt of the well registration statements for the City of Milwaukie and the check in the amount of \$60 for which our receipts 16155, 16154, and 16153 are enclosed.

After we have had an opportunity to examine your statements, we will communicate with you further.

Very truly yours,

LEWIS A. STANLEY  
State Engineer

By  
Wm. S. Bartholomew  
Geologist