



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

# Application for a Permit to Store Water in a Reservoir

(Alternate Review)

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

### Use a separate form for each reservoir

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

### 1. APPLICANT INFORMATION

Applicant: City of Hillsboro Attn: Jeroen Kok  
First Last  
 Mailing Address: Parks and Recreation Department, 4400 NW 229th Avenue  
Hillsboro Oregon 97124  
City State Zip  
 Phone: \_\_\_\_\_ 503-681-6120  
Home Work Other  
 Fax: \_\_\_\_\_ E-Mail Address\*: Jeroen.Kok@hillsboro-oregon.gov

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

### 2. AGENT INFORMATION

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

Agent: Theodore Ressler  
First Last  
 Mailing Address: GSI Water Solutions, Inc., 55 SW Yamhill Street, Suite 300  
Portland Oregon 97204  
City State Zip  
 Phone: \_\_\_\_\_ 503-239-8799  
Home Work Other  
 Fax: \_\_\_\_\_ E-Mail Address\*: tressler@gsiws.com

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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### 3. LOCATION AND SOURCE

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

App. No. <u>R-88419</u>	For Department Use	Date _____
	Permit No. _____	

**D. Reservoir Location**

The table below describes the reservoir footprint.

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
1S	2W	6, 7	S6: SW SW; E1/2 SW; S7: All NW	1000; 200; 100

**E. Dam:** Maximum height of dam: 7.2 feet. If excavated, write "zero feet".

**F. Quantity:** Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 115 AF

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

**4. WATER USE**

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

Multipurpose/Wetland Enhancement

**5. PROPERTY OWNERSHIP**

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

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

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

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There are no encumbrances

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

No (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

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

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

List the names and mailing addresses of all affected landowners:

Clean Water Services, 2550 SW Hillsboro Hwy. Hillsboro, Oregon 97123

**6. ENVIRONMENTAL IMPACT**

- A. **Channel:** Is the reservoir:  in-stream or  off channel?
  - B. **Wetland:** Is the project in a wetland?  Yes  No  Don't know
  - C. **Existing:** Is this an existing reservoir?  Yes  No  
If yes, how long has it been in place? 5 \_\_\_\_\_ years.
  - D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure?  Yes  No  Don't know  
If yes, how much? \_\_\_\_\_ miles.
  - E. **Partnerships:** Have you been working with other agencies?  Yes  No
- Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

Oregon Department of Fish and Wildlife - Tom Murtagh, District Fish Biologist, 971-673-6044.

**7. WITHIN A DISTRICT**

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

Irrigation District Name	Address	
City	State	Zip

**8. DESCRIPTION**

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

See Attachment 1.

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

See Attachment 1.

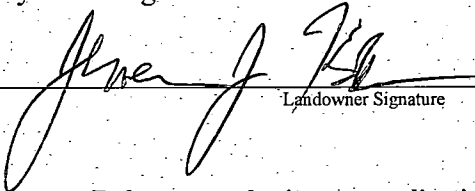
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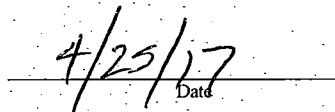
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### 9. SIGNATURE

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

  
\_\_\_\_\_  
Landowner Signature

  
\_\_\_\_\_  
Date

**Before you submit your application be sure you have:**

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

**Attachment 1**  
**Reservoir Information**  
*Wapato Marsh Reservoir Application*

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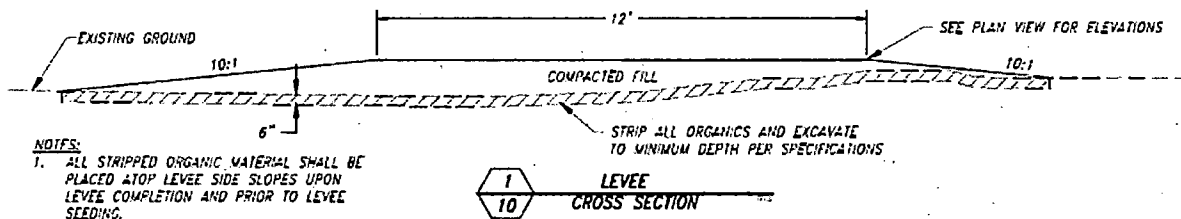
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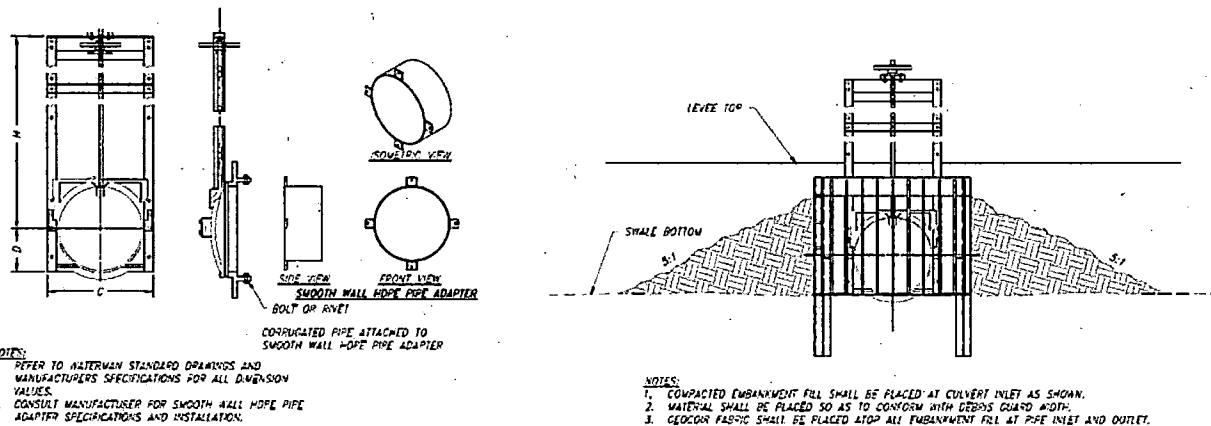
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The source of water for the reservoir will be runoff impounded behind the reservoir berms. Because the source of water is runoff, there will be no live flow to bypass outside of the storage season. The design of the wetland includes four berms/levees for impounding water in the wetland. A generalized cross-section for the levees is provided below. A detailed profile for each of the four levees is provided on Sheet 21 of the Record Drawings for the wetland.



Levee 2, Levee 3, and Levee 4 are each equipped with two outlets (18-inch diameter outlet pipe) with screw gates (see drawings below) which allow release of water progressively down gradient (from Wetland Unit 4, to Wetland Unit 3, to Wetland Unit 2, to Wetland Unit 1). Levee 1 has a single outlet, the proposed Point of Diversion, being a 24-inch diameter pipe with a board rack and removal stop logs. The location of these seven outlets or Water Control Structures (WCS) are shown on Sheet 6 of the Record Drawings for the wetland.

**Water Control Structure with Screw Gate**

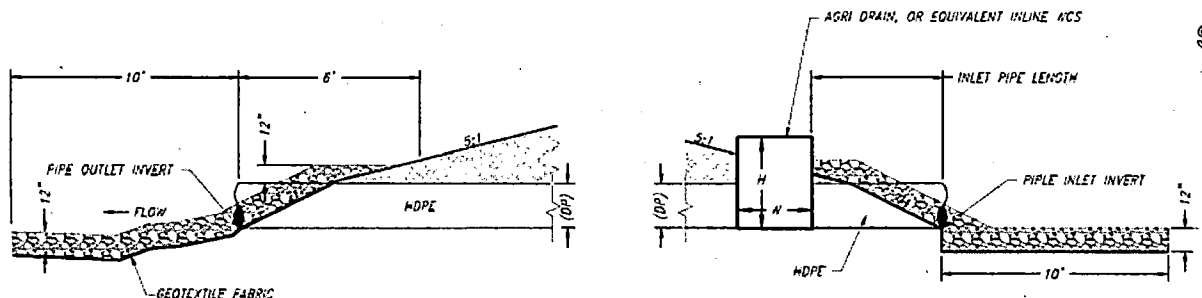


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**Water Control Structure with Stop Logs**

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**Attachment 2**  
**Application Map**

*Wapato Marsh Reservoir Application*

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**Attachment 3**  
**Watermaster Review**  
*Wapato Marsh Reservoir Application*

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# WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

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

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

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

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

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

Application #: R-

Applicant's Name: *City of Hillsboro, Parks & Recreation Dept.*

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

Explain: *Reservoir filled with run-off, no live flow diversion*

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

If YES, which conditions are recommended:

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

Who: Agency: Date:

Who: Agency: Date:

Watermaster signature:



Date: *02/27/17*

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

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NOTE: This completed form must be returned to the applicant

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**Attachment 4**  
**ODFW Review**

*Wapato Marsh Reservoir Application*

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# ODFW Alternate Reservoir Application Review Sheet

**This portion to be completed by the applicant.**

Applicant Name/Address/Phone/Email: City of Hillsboro Parks + Recreation  
Jeroen KoK - 503-681-6120

Reservoir Name: Wapato Marsh Source: Run off Volume (AF): 115 AF

Twp Rng Sec QQ: 1S R 2W Sec 6, 7 Basin Name: Thalatin  in-channel  
 off-channel

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

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

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

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

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

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

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

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

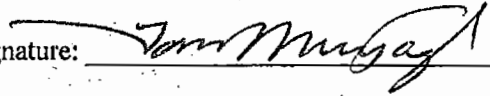
*R-Beauq*

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?  
 NO (explain)       YES (select from Menu of Conditions on next page)

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ODFW Signature:  Print Name: TOM MURTAGH  
ODFW Title: District Fish Biologist Date: 2-23-2017

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

R-8849

**Attachment 5**

**Land Use Form**

*Wapato Marsh Reservoir Application*

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R-88417

# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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# Land Use Information Form



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Applicant(s): City of Hillsboro Parks and Recreation Department ; Attn: Jeoron Kok

Mailing Address: 4400 NW 29<sup>th</sup> Avenue

City: Hillsboro

State: OR

Zip Code: 97124

Daytime Phone: 503-681-6120

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
1S	2W	6	SW SW	1000 200	Heavy Industrial	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Wetland
1S	2W	6	SE SW	1000 200	Heavy Industrial	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Wetland
1S	2W	6	NE SW	1000	Heavy Industrial	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Wetland
1S	2W	7	NW NW	200	Heavy Industrial	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Wetland
1S	2W	7	NE NW	200 100	Heavy Industrial	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Wetland
1S	2W	7	SW NW	200	Heavy Industrial	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Wetland
1S	2W	7	SE NW	200 100	Heavy Industrial	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Wetland

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

City of Hillsboro and Washington County

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## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

SALEM, OR

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 115   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other Wetland Enhancement

Briefly describe:

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

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →



# For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

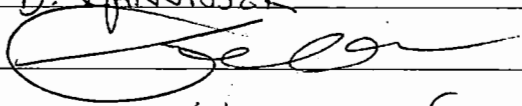
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
CASEFILE 17-082-FP → Pending Review (FLOOD PLAIN ALTERATION)	EXCLUSIVE FARM USE ARTICLE III; SEC. 340 SECTION 421 → FLOOD PLAIN & DRAINAGE HAZARD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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**JUN 15 2017**

**SALEM, OR**

Name: SEAN D. VARRASSER Title: ASSOCIATE PLANNER  
 Signature:  Phone: (503) 846-8131 Date: 04/05/17  
 Government Entity: WASHINGTON COUNTY - LAND USE & TRANSPORTATION

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

R-88419

# For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 12.27.120, 12.27.220  
*Community development code*
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>RECEIVED BY OWRD</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>JUN 15 2017</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>SALEM, OR</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

*The project will improve habitat & environmental quality within an area designated for such purposes by the City Comprehensive Plan map and other City Codes.*

Name: Sarah Bruce Title: Senior Planner  
 Signature: Sarah A. Bruce Phone: 503-681-6214 Date: 4/5/17  
 Government Entity: City of Hillsboro, Planning Department, Dev. Services

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**Attachment 6**  
**Property Ownership**  
*Wapato Marsh Reservoir Application*

---

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

R-80412



May 9, 2017

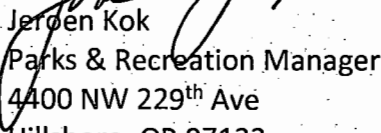
Tom VanderPlaat  
Water Supply Project Manager  
Clean Water Services  
2550 SW Hillsboro Highway  
Hillsboro, OR 97123

Mr. VanderPlaat:

This letter is written to notify Clean Water Services (CWS) that the City of Hillsboro Parks and Recreation Department will be submitting to Oregon Water Resources Department (OWRD) an application for a permit to store surface water. The permit application requests to store 115 AF of water in Wapato Marsh at Jackson Bottom Wetlands Preserve and will replace existing Permit R-14953. A portion of the land on which Wapato Marsh is located is owned by CWS, specifically tax lot 100 (Township 1 S, Range 2 W, Sections 6 and 7). Because CWS owns a portion of the land on which the water right will be located, written consent from CWS is needed as part of the permit application.

Please return a signed copy of this letter to acknowledge that CWS consents to the storage of water in Wapato Marsh as described in the attached permit application on the land owned by CWS.

Sincerely,

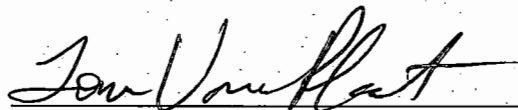
  
Jerden Kok  
Parks & Recreation Manager  
4400 NW 229<sup>th</sup> Ave  
Hillsboro, OR 97123

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

Signed on 5 day of June 2017



Tom VanderPlaat  
CWS Water Supply Project Manager

# Tax Lot 100

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JUN 15 2017

SALEM, OR

R-8019

WARRANTY DEED — STATUTORY FORM  
(Individual or Corporation)

85006200

LICORICE LANE FARM, INC., an Oregon Corporation

Grantor, conveys and warrants to UNIFIED SEWERAGE AGENCY OF WASHINGTON COUNTY

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

PARCEL I

The North one-half of the George Sigler Donation Land Claim No. 42, in Sections 5, 6, 7, and 8, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon:

EXCEPTING THEREFROM those portions lying within SMITH'S FIR GROVE and MARGARET, duly recorded plats of Washington County, Oregon.

PARCEL II

A tract of land in Sections 6 and 7, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at the southwest corner of the Michael Moore Donation Land Claim No. 41, thence South 89° 26' East 6.97 chains to the northwest corner of the George Sigler Donation Land Claim; thence along the west line of said Sigler Donation Land Claim South 37° West 40.72 chains to a post on the left bank of The Tualatin River; thence South 37° West to the center of said river; thence Southwesterly up the center of said river 8.78 chains to a point due South of a witness post on the left bank of said river; thence North 45.87 chains to the place of beginning.

1-2

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JUN 15 2017

SALEM, OR

650

W 29507

R-8849

W29

Encumbrances: The assessment roll discloses a Forest Land Assessment. The Assessment roll discloses a Farm Use Assessment. Any adverse claim based upon the assertion that the Tualatin River has moved. Easement recorded April 2, 1951 in Book 319, page 4 in favor of PGE. Easement recorded May 18, 1951 in Book 320, page 523, in favor of PGE. Easement for water transmission line in favor of the City of Beaverton, Suit No. 40 898. Any uncertainty as to the location of the George Sigler Donation Land Claim. The true consideration for this conveyance is \$ ... 339,940.00..... (Here comply with the requirements of ORS 93.030\*).

Dated this 21st day of February, 1985; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

BY: DeLane Fry, Pres.  
LICORICE LANE FARM  
Heike Fry Vice Pres.

STATE OF OREGON, )  
County of ) ss.  
19 )  
Personally appeared the above named

STATE OF OREGON, County of Washington ) ss.  
February 21, 19 85  
Personally appeared DeLane Fry and Heike Fry who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of the Licorice Lane Farm a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

and acknowledged the foregoing instrument to be voluntary act and deed.

Before me:

Before me:

Notary Public for Oregon  
My commission expires:

Notary Public for Oregon  
My commission expires:

Timberly Astander  
1-20-89  
KING COUNTY WASHINGTON

\* If the consideration consists of or includes other property or value, add the following: "The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which)".

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN IT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON }  
County of Washington } SS

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

RECEIVED BY OWNER

JUN 15 2017

SALEM, OR

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

650/28

1985 FEB 21 PM 1:38

Grantee's Name and Address

After recording return to:  
Unified Sewerage Agency  
C/O Washington County Council  
Administration Bldg. Rm. 401  
Hillsboro Name, Address, Zip Attn: Laura

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

Name, Address, Zip

P. G. BAUG

2

152 7 100 (2)  
152 6 (116) 152 8 (17)

# Tax Lot 200

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

R-88419



RECORDING COVER SHEET  
ALL TRANSACTIONS, PER ORS 205.234  
THIS COVER SHEET HAS BEEN PREPARED  
BY THE PERSON PRESENTING THE  
ATTACHED INSTRUMENT FOR RECORDING.  
ANY ERRORS IN THIS COVER SHEET  
DO NOT AFFECT THE TRANSACTION(S)  
CONTAINED IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO:

Clean Water Services  
2550 SW Hillsboro  
Hillsboro, OR 97123

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

Washington County, Oregon  
06/27/2012 10:49:22 AM  
This Sp D-DBS Cnt=1 Stn=29 RECORDS1  
\$20.00 \$5.00 \$11.00 \$15.00 - Total = \$51.00



01720385201200520180040043

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

Richard Hobernicht, Director of Assessment and  
Taxation, Ex-Officio County Clerk



1. NAME(S) OF THE TRANSACTION(S), described in the attached instrument and required by ORS 205.234(a). (i.e. Warranty Deed) Note: Transaction as defined by ORS 205.010 "means any action required or permitted by state law or rule or federal law or regulation to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property."

Bargain and Sale Deed

2. DIRECT PARTY, name(s) of the person (s) described in ORS 205.125(1)(b) or GRANTOR, as described in ORS 205.160.

City of Hillsboro  
150 E. Main Street  
Hillsboro, OR 97123

3. INDIRECT PARTY, name(s) of the person (s) described in ORS 205.125(1)(a) or GRANTEE, as described in ORS 205.160.

Clean Water Services  
2550 SW Hillsboro Hwy  
Hillsboro, OR 97123

4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

True and actual consideration for this conveyance consists of other value given or promised

5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS for instruments conveying or contracting to convey fee title to any real estate, reference ORS 93.260.

Clean Water Services  
2550 SW Hillsboro Hwy  
Hillsboro, OR 97123

6. RERECORDED AT THE REQUEST OF Grantor and Grantee listed above TO CORRECT:

The omission of a statement of intent regarding the disposition of property in an approved property line adjustment. See Statement of Intent below.

THIS DOCUMENT WAS PREVIOUSLY RECORDED AS, FEE NUMBER 2012-009345

Statement of Intent

It is the intent of this deed to execute a property line adjustment. The Property Line Adjustment was approved by the Planning Department of Hillsboro as case file PLA 2-11. Prior to approval of PLA 2-11 the Grantors land is as described in Book 206, Page 603 and Book 336, Page 610. Pursuant to the approval of PLA 2-11, this deed conveys a portion of the Grantors land, as described in Exhibit A, to Clean Water Services, owner of that tract of land described in Fee 93062756.

R-88419



01673569201200093450030036

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

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



After Recording Return to:

Clean Water Services  
2550 SW Hillsboro Highway  
Hillsboro, OR 97123

Until a change is requested, all tax statements shall be sent to Clean Water Services at the above address.

Grantor:  
City of Hillsboro  
Parks & Recreation  
4400 NW 229th Avenue  
Hillsboro, OR 97124-9441

**BARGAIN AND SALE DEED**

The City of Hillsboro, an Oregon municipal corporation (Grantor), conveys to Clean Water Services, a county service district organized under ORS 451 (Grantee), the real property located in Washington County, Oregon, and described in Exhibit A attached hereto and incorporated herein.

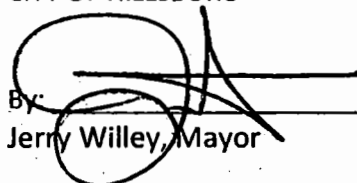
The true consideration for this conveyance consists of other property or other value given or promised. (ORS 93.030).

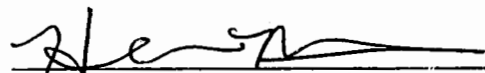
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

In Witness Whereof, Grantor has caused this Deed to be executed by its Mayor this 31<sup>st</sup> day of January, 2012, pursuant to the Intergovernmental Agreement between the Grantor and Grantee approved by the City of Hillsboro City Council on March 2, 2010.

CITY OF HILLSBORO

APPROVED AS TO FORM

By:   
Jerry Willey, Mayor

  
City Attorney

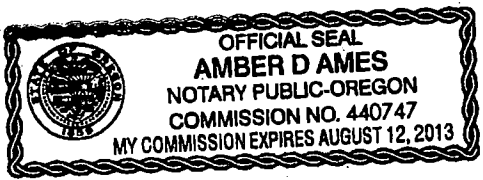
RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

STATE OF OREGON )  
 ) ss.  
County of Washington )

This instrument was acknowledged before me on 31st January 2012, by Jerry W. Willey as Mayor of the City of Hillsboro, an Oregon municipal corporation.



Amber D Ames  
Notary Public - State of Oregon  
My commission expires: August 12, 2013

Accepted on behalf of Clean Water Services:  
By: [Signature]  
Title: Deputy General Manager  
Date: 02/06/12

APPROVED AS TO FORM

Nisa Mershey  
Clean Water Services Counsel

RECEIVED BY OWRD  
JUN 15 2017  
SALEM, OR

R-88419

## EXHIBIT A

A tract of land situated in the Northwest quarter of Section 7, Township 1 South, Range 2 West of the Willamette Meridian in Washington County, Oregon, being more particularly described as follows:

**COMMENCING** at the Northwest corner of the Northwest quarter of said Section 7; thence South  $00^{\circ}20'45''$  East along the West line of said Section 7 a distance of 1274.29 feet to a point on the Westerly extension of the South line of that tract conveyed to the Unified Sewerage Agency in Document No. 93062756, Washington County Deed Records; thence North  $89^{\circ}18'13''$  East along the Westerly extension of said South line a distance of 56.05 feet to a point on the East right-of-way line of Highway 219, said point being 45.00 feet East of, when measured at right angles to, the centerline of said Highway 219 and the **TRUE POINT OF BEGINNING**; thence South  $00^{\circ}31'38''$  East along the East right-of-way line of said Highway 219 a distance of 44.14 feet to a point on a spiral curve at station 62+37.02 P.S.; thence along the East right-of-way line of said Highway 212 through said spiral curve on a chord bearing of South  $00^{\circ}30'53''$  West a distance of 178.62 feet to a point on the North line of a 30.00 foot wide perpetual easement for water transmission pipelines in Document No. 80015407, Washington County Deed Records; thence North  $88^{\circ}40'39''$  East along the North line of said easement a distance of 42.04 feet to an angle point therein; thence South  $59^{\circ}59'50''$  East along the North line of said easement a distance of 403.67 feet to an angle point therein; thence North  $74^{\circ}27'13''$  East along the North line of said easement a distance of 215.91 feet; thence North  $13^{\circ}45'28''$  East a distance of 144.68 feet; thence North  $00^{\circ}29'19''$  West a distance of 232.92 feet to a point on the Easterly extension of the South line of said tract conveyed to the Unified Sewerage Agency in Document No. 93062756, Washington County Deed Records; thence South  $89^{\circ}18'13''$  West along the South line and the Easterly extension thereof a distance of 630.89 feet to the **TRUE POINT OF BEGINNING**.

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

RECORDING COVER SHEET  
ALL TRANSACTIONS, PER ORS 205.234  
THIS COVER SHEET HAS BEEN PREPARED  
BY THE PERSON PRESENTING THE  
ATTACHED INSTRUMENT FOR RECORDING.  
ANY ERRORS IN THIS COVER SHEET  
DO NOT AFFECT THE TRANSACTION(S)  
CONTAINED IN THE INSTRUMENT ITSELF.

Washington County, Oregon  
This Stamp 06/27/2012 10:49:22 AM 2012-052019

D-DBS Cnt=1 Str=29 RECORDS:1  
\$20.00 \$5.00 \$11.00 \$15.00 - Total = \$51.00



01720386201200520190040040

RECEIVED BY OWRD

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



Richard Hobernicht, Director of Assessment and  
Taxation, Ex-Officio County Clerk

AFTER RECORDING RETURN TO:

JUN 15 2017

City of Hillsboro  
Attn: Engineering Division  
150 E. Main Street  
Hillsboro, OR 97123

SALEM, OR

1. NAME(S) OF THE TRANSACTION(S), described in the attached instrument and required by ORS 205.234(a). (i.e. Warranty Deed) Note: Transaction as defined by ORS 205.010 "means any action required or permitted by state law or rule or federal law or regulation to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property."

Bargain and Sale Deed

2. DIRECT PARTY, name(s) of the person (s) described in ORS 205.125(1)(b) or GRANTOR, as described in ORS 205.160.

Clean Water Services  
2550 SW Hillsboro Hwy  
Hillsboro, OR 97123

3. INDIRECT PARTY, name(s) of the person (s) described in ORS 205.125(1)(a) or GRANTEE, as described in ORS 205.160.

City of Hillsboro  
150 E. Main Street  
Hillsboro, OR 97123

4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

True and actual consideration for this conveyance consists of other value given or promised

5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS for instruments conveying or contracting to convey fee title to any real estate, reference ORS 93.260.

City of Hillsboro  
150 E. Main Street  
Hillsboro, OR 97123

6. RERECORDED AT THE REQUEST OF Grantor and Grantee listed above TO CORRECT:

The omission of a statement of intent regarding the disposition of property in an approved property line adjustment. See Statement of Intent below.

THIS DOCUMENT WAS PREVIOUSLY RECORDED AS, FEE NUMBER 2011-060842

Statement of Intent

It is the intent of this deed to execute a property line adjustment. The Property Line Adjustment was approved by the Planning Department of Hillsboro as case file PLA 2-11. Prior to approval of PLA 2-11 the Grantors land is as described in Fee 2001-010054. Pursuant to the approval of PLA 2-11, this deed conveys a portion of the Grantors land, as described in Exhibit A, to City of Hillsboro, owner of that tract of land described in Book 206, Page 603 and Book 336, Page 610.

R-98419

After Recording Return To:

City of Hillsboro  
150 E. Main Street  
Hillsboro, OR 97123

Until a change is requested, all tax statements shall be sent to City of Hillsboro at the above address.



01627015201100608420030035

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

*Richard Hobernicht*  
Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



### BARGAIN AND SALE DEED

Clean Water Services, a county service district organized under ORS 451 (Grantor), conveys to City of Hillsboro, an Oregon municipal corporation (Grantee), the real property located in Washington County, Oregon and described in Exhibit A attached hereto and incorporated herein.

The true consideration for this conveyance consists of other property or other value given or promised. (ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

In Witness Whereof, Grantor has caused this Deed to be executed by its General Manager this 23 day of August, 2011, pursuant to Board Minute Order CWS 10-34 dated April 20, 2010.

CLEAN WATER SERVICES

APPROVED AS TO FORM

By: Bill Gaffi  
Bill Gaffi, General Manager

Kisa Hershey  
Clean Water Services' Counsel

STATE OF OREGON       )  
  )  
County of Washington    )

This instrument was acknowledged before me on August 23, 2011, by Bill Gaffi, personally known to me as the General Manager of Clean Water Services.



Joni Shaffer  
Notary Public of Oregon  
My Commission Expires: 11/27/2011

Accepted on behalf of City of Hillsboro, Oregon:

By: Robert A. Pedron

Title: ASSISTANT CITY MANAGER

Date: 8/29/11

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR

R-88402

**EXHIBIT A**

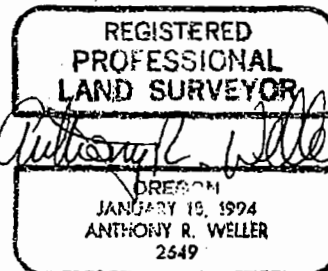
A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN WASHINGTON COUNTY, OREGON AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE SOUTH 00°20'45" EAST ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 1199.11 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF THAT TRACT OF LAND CONVEYED TO THE UNIFIED SEWERAGE AGENCY IN DOCUMENT NO. 93062756, WASHINGTON COUNTY DEED RECORDS, THENCE NORTH 89°18'13" EAST ALONG SAID NORTH LINE AND IT'S WESTERLY EXTENSION A DISTANCE OF 581.07 FEET TO THE NORTHEAST CORNER, BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°18'13" WEST ALONG SAID NORTH LINE A DISTANCE OF 100.24; THENCE NORTH 00°29'19" WEST A DISTANCE OF 314.88 FEET; THENCE SOUTH 89°28'22" WEST A DISTANCE OF 405.72 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF HIGHWAY 219, SAID POINT BEING 65.00 FEET EAST OF, WHEN MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF SAID HIGHWAY 219; THENCE NORTH 00°31'38" WEST ALONG THE EAST RIGHT-OF-WAY OF SAID HIGHWAY 219 A DISTANCE OF 757.91 FEET TO A POINT ON THE NORTH LINE OF THAT TRACT OF LAND CONVEYED TO THE UNIFIED SEWERAGE AGENCY IN DOCUMENT NO. 2001010054, WASHINGTON COUNTY DEED RECORDS; THENCE NORTH 89°18'13" EAST ALONG SAID NORTH LINE A DISTANCE OF 508.07 FEET TO A POINT ON THE EAST LINE OF SAID DOCUMENT NO. 2001010054; THENCE SOUTH 00°24'12" EAST A DISTANCE OF 1074.00 FEET TO THE TRUE POINT OF BEGINNING.

BASIS OF BEARING IS THE WEST LINE OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 2 WEST W.M., SOUTH 00°20'45" WEST.

CONTAINING 9.56 ACRES MORE OR LESS.

PREPARED BY CES/NW, INC.



*Renews 6/30/12*

RECEIVED BY OWRD

JUN 15 2017

SALEM, OR



306

2115

KNOW ALL MEN BY THESE PRESENTS: That E. E. Maline, Inc., a  
 Delaware corporation, for and in consideration of the sum of Ten Dollars  
 and other good and valuable considerations to it in hand paid by the  
 City of Hillsboro, a municipal corporation of Washington County, Oregon,  
 the receipt whereof is hereby acknowledged, does hereby grant, bargain,  
 sell, and convey unto the said City of Hillsboro its successors and  
 assigns all of the following unincorporated real property lying, being, and  
 situated in Washington County, Oregon, and more particularly described  
 as follows, to-wit:

Beginning at the point of intersection of the west  
 line of Section 7, in T. 1 S., R. 2 E., N. P., with the  
 center line of the Dalatna River, and running thence  
 N. 13 chains, more or less, to the southeast corner of  
 that certain tract of 27.18 acres conveyed by grantors  
 hereto to R. M. Jones et al. by deed recorded at page 109  
 of Volume 110, dead records of Washington County, Oregon;  
 thence N. 89° 57' East 370.3 feet; thence north 1074 feet  
 thence south 89° 57' West 1690.08 feet to the west line  
 of that certain tract of land conveyed by P. M. Jackson  
 et al. to J. C. Hare, deed for which is recorded at  
 page 459 of Volume 25, dead records of Washington County,  
 Oregon; thence south following the west line of the tract  
 conveyed by R. M. Jackson et al. to J. C. Hare above  
 mentioned to the center line of the Dalatna River;  
 thence following the center line of said river up stream  
 to place of beginning, containing 111 acres, more or  
 less.



To Have and to Hold the above described and granted premises  
 unto the City of Hillsboro, its successors and assigns, forever.  
 It is the intention of the grantors by this instrument to convey  
 all the right, title, and interest that is acquired in said premises under  
 and by virtue of and pursuant to that certain deed from J. H. Trent and  
 wife, bearing date of November 5, 1941, and recorded in Book 203, Page  
 361, Records of Deeds of Washington County, Oregon.  
 IN WITNESS WHEREOF, E. E. Maline, Inc., the grantor hereto,  
 has caused this instrument to be executed on this 15th day of June, 1942,  
 its President, and its corporate seal affixed hereto by John Prescott,

R-2849

VED BY OWRD

JUN 15 2017

SALEM, OR

8494

KNOW ALL MEN BY THESE PRESENTS That SAMUEL E. HULLIT and LILLIE HULLIT, husband and wife, grantors, for and in consideration of the sum of Ten Dollars (\$10) and other good and valuable considerations to them paid by the City of Hillsboro, Oregon, a municipal corporation, grantee, do hereby grant, bargain, sell and convey unto the said grantee, its successors and assigns, all the following real property, with the covenants, conditions and appurtenances situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Being a portion of that tract of land conveyed to Sam E. Hullit and wife by deed as recorded in volume 290, page 507, of Washington County, Oregon, Deed Records, and more particularly described as follows: Beginning at an iron pipe at the northeast corner of said Hullit tract, a point on the east line of the Michael Moore B.L.C. in T18, R22, E44, and which beginning point bears N0° 30' E 422.0 feet from the southwest corner of said Moore B.L.C.; thence from the described place of beginning N 89° 01' W along the north line of said Hullit tract 207.7 feet to a lava corner at the southwest corner of that same tract conveyed to H. F. Currie by deed as recorded in volume 235, page 655 of said Deed Records; thence continuing along the north line of said Hullit tract N 89° 50' W 1396.1 feet to a point on the east line of a tract conveyed to Washington County, Oregon, by deed as recorded in volume 110, page 446 of said Deed Records; from which point an azimuth bears S 48° 50' E 10.0 feet; thence S 0° 20' E along the east line of said Washington County tract 1216.4 feet to an iron pipe; thence S 85° 13' E 244.1 feet to an iron pipe at a resistant corner on the north line of said Hullit tract; thence continuing S 80° 13' E along the north line of said Hullit tract 1020.7 feet to the place of beginning; thence S 80° 13' E along the north line of said Hullit tract 782.9 feet to an iron pipe at the southwest corner of said Moore B.L.C.; thence N 0° 30' E along the east line of said Hullit tract and the east line of said Moore B.L.C. 422.0 feet to the place of beginning, containing 61.131 acres.



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

And the grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances, except that certain reservation described in Deed Book 7, page 453; and that certain reservation described in Deed Book 10, page 359; and that certain reservation described in Deed Book 131, page 273; and in Deed Book 149, page 449, records of said County of Washington.

18

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SALEM, OR

# Tax Lot 1000

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SALEM, OR

R-88449

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C 25176

NICHOLE M. MEN BY THREE TRUSTEES, THAT AURINIATA CONTINERI, a single woman, grantor, in consideration of Sixteen Thousand Five Hundred Ninety and 75/100 Dollars (\$16,519.75) to her, paid by The City of Hillsboro, Oregon, a municipal corporation, grantee, does hereby grant, bargain, sell and convey unto the said grantee, her successors and assigns, all the following real property, with its appurtenances, hereditaments and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:



Being a portion of that tract of land conveyed to D. P. Corbett by deed as recorded in volume 120, page 122 of said Deed Records, County of Washington, Oregon, and more particularly described as follows: Beginning at a point on the south line of the Chevalier-Simons D.L.C. in T18S, R23E, W11E, and which beginning point bears S 89° 51' E 45.0 feet to a point where the south line of said Simons D.L.C. intersects the range line between T18S, R23E, W11E and T19S, R17E, W11E, said beginning point also being a point on the east line of that tract conveyed to Washington County, Oregon, thence from the described place of beginning S 20° E along the east line of said Washington County tract 134.7 feet to a point on the south line of said Corbett tract and from which point, along the south line of said Corbett tract 132.1 feet to a line marked in shaft at the southeast corner of that second tract conveyed to H. W. Burnett by deed as recorded in volume 245, page 655 of said Deed Records, thence N 36° E along the east line of said Burnett tract 107.7 feet to an iron pin at the northeast corner thereof, a point on the south line of said Simons D.L.C.; thence N 89° 51' E along the south line of said Simons D.L.C. 108.8 feet to an iron pin at the southeast corner of that tract conveyed to V. L. Heinrich by deed as recorded in volume 221, page 421 of said Deed Records, thence N 30° 30' E along the east line of said Heinrich tract 122.5 feet to an iron pin, thence N 89° 51' E parallel to the south line of said Simons D.L.C. 129.5 feet to an iron pin at the southeast corner of that tract conveyed to the City of Hillsboro, Oregon, by deed as recorded in volume 159, page 191 of said Deed Records, thence N 89° 51' E along the south line of said City of Hillsboro tract 94.0 feet to the southeast corner of that tract conveyed to J. R. Burns by deed as recorded in volume 109, page 92 of said Deed Records, thence S 1° 31' E along the east line of said Burns tract 70.0 feet to an iron pin at the southeast corner thereof, thence continuing S 1° 31' E along the southerly extended east line of said Burns tract 94.7 feet to an iron pin, thence N 89° 51' E parallel to the south line of said Simons D.L.C. 108.8 feet to an iron pin on the east line of said highway in Section 6, T19S, R17E, W11E, and southerly along the easterly right-of-way line of said highway to the north line of that tract conveyed to Washington County, Oregon, by deed as recorded in volume 130, page 241 of said Deed Records, thence along the north line of said Washington County tract 25.2 feet more or less to the northeast corner thereof, thence S 20° E along the east line of said Washington County tract 108.8 feet more or less to the place of beginning, containing 0.837 acres, more or less.

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

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JUN 15 2017

SALEM, OR

R-88419

6600

WARRANTY DEED

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

Being a portion of that first tract and all of that second tract of land conveyed to H. W. Currin by deed as recorded in Volume 229, page 155, of Washington County, Oregon, Deed Records, and more particularly described as follows: Beginning at an iron pipe at the southeast corner of the Wheeler-Simmons Tract, in T. 12N., W. 2W., and running thence N. 0° 49' E. along the east line of said Currin tract 1627.0 feet to an iron pipe at the most southerly corner of that tract conveyed to Julius Christensen by deed as recorded in Volume 162, page 511, of said Deed Records; thence N 89° 01' W. parallel to the south line of said Currin tract 813.7 feet to an iron pipe on the west line of said Currin tract; thence S 0° 30' W. along the west line of said Currin tract 1627.0 feet to an iron pipe at the southwest corner of said Currin tract; thence S 12° 36' W. along the west line of said Currin second tract 307.7 feet to a lawn mower standing at the southwest corner thereof; thence S 0° 40' E. along the south line of said Currin second tract 407.7 feet to an iron pipe at the southeast corner thereof; thence N 0° 29' E. along the east line of said Currin second tract 307.7 feet to the place of beginning, containing 37.492 acres.

SUBJECT to the agreement recorded in Washington County Miscellaneous Book C, Page 592; the Easements recorded in Washington County Deed Book 70, Page 312; and the Easement recorded in Deed Book 7, Page 455.

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

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

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



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SALEM, OR

687

KNOW ALL MEN BY THESE PRESENTS, THAT VINCENT T. HEINRICH and MAUDE V. HEINRICH, husband and wife, in consideration of Two Thousand Sixty-seven and 90/100 (\$2,067.90) Dollars to them paid by THE CITY OF HILLSBORO, a municipal corporation, do hereby grant, bargain, sell and convey unto the said grantees, successors and assigns, all the following real property, with the appurtenances and appurtenances, situated in the County of Washington and State of Oregon, bounded and described as follows, to-wit:

Being a portion of that tract of land conveyed to V. T. Heinrich by deed as recorded in volume 221, page 132 of Washington County, Oregon, Deed Records, and more particularly described as follows: Beginning at an iron pin at the southeast corner of said Heinrich tract and which beginning point bears N 89° 01' W 806.9 feet and N 88° 59' W 211.2 feet, from the southwest corner of the Whelock Standard D.L.O. in T13, R27, W.U., thence from the described place of beginning N 70° E along the east line of said Heinrich tract 1229.6 feet to an iron pin; thence N 88° 59' W parallel to the south line of said Heinrich tract 211.2 feet to an iron pin on the west line of said tract; thence S 77° 30' E along the west line of said Heinrich tract 1229.6 feet to an iron pin at the southwest corner thereof; thence S 88° 59' W along the south line of said Heinrich tract 211.2 feet to the place of beginning, containing 6.893 acres.

To Have and to hold the above described and granted premises unto the said grantees, heirs and assigns forever.

And the grantees do covenant that they are lawfully seized in fee simple of the above granted premises free from all incumbrances.

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

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

Vincent T. Heinrich (seal)  
Maude V. Heinrich (seal)

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

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

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

SWM  
Notary Public for Oregon  
My Commission expires April 17, 1956

8874

INDEXED  
WARRANTY DEED

STATE OF OREGON  
County of Washington  
I, \_\_\_\_\_, County Clerk, do hereby certify that the within instrument was duly recorded in my office on this 13<sup>th</sup> day of August 1952.

WITNESS my hand and seal of said County, this 13<sup>th</sup> day of August 1952.

WASHINGTON COUNTY CLERK  
C. A. ...

Ray ...  
City Hall

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JUN 15 2017

SALEM, OR

R-88419

Book 335,  
P. 606

335

1237

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

Being a portion of that tract of land conveyed to W. Jarrell by deed as recorded in volume 236, page 491 of Washington County, Oregon, Deed Records, and more particularly described as follows: Beginning at an iron stake at the southeast corner of said Jarrell tract; a point on the south line of the Wheelock Simmons D.L.C. in T13, R27, W.M., and which beginning point bears N 89° 01' W 806.9 feet from the southeast corner of said Simmons D.L.C.; thence from the described place of beginning N 0° 30' E. along the east line of said Jarrell tract 1229.6 feet to an iron pipe; thence N 88° 59' E parallel to the south line of said Jarrell tract 244.2 feet to an iron pipe on the west line of said tract; thence S 0° 30' W along the west line of said Jarrell tract 1229.6 feet to an iron pipe at the southwest corner thereof; thence S 88° 59' E along the south line of said Jarrell tract 244.2 feet to the place of beginning, containing 6.893 acres.

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

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

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

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JUN 15 2017

SALEM, OR



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

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

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

Today's Date: Thursday, June 15, 2017

Base Application Fee for Storage of Surface Water.		\$350.00
Proposed Dam Height in feet.	7.2	
Proposed Reservoir volume in Acre Feet.	115	\$3,450.00
Permit Recording Fee. ***		\$450.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$4,250.00

*Handwritten signature/initials*

OWRD Fee Schedule

Fee Calculator Version: B20130709
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12-8847





**Water Solutions, Inc.**

June 12, 2017

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

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

Application Caseworker:

On behalf of the applicant, the City of Hillsboro, please find enclosed an Application for a Permit to Store Water in a Reservoir and a check in the amount of \$4,250 for payment of the necessary filing fees for the application. The application proposes to store 115 AF of water in Wapato Marsh and is intended to replace existing Permit R-14953. It is the applicant's intent to cancel Permit R-14953 simultaneously with the issuance of a permit resulting from the enclosed application.

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

Sincerely,

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

Enclosures: Application for a Permit to Store Water in a Reservoir (Alternate Review)  
Check #265499 in the amount of \$4,250

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

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JUN 15 2017

SALEM, OR

R-8847