

Application for a Permit to Use Groundwater



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

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Water-Use Permit Application Processing

DEC 07 2017

1. Completeness Determination

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The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

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Attachments:

- Land Use Information Form with approval and signature of local Planning Department (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: **A copy of the deed, land sales contract or title insurance policy.**
- Fees - Amount enclosed: \$3,260
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Application for a Permit to Use Groundwater



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SECTION 1: APPLICANT INFORMATION AND

SIGNATURE

Applicant Information

NAME		PHONE (HM)	
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization Information

NAME METRO REGIONAL GOVERNMENT ATTN: LAURIE WULF		PHONE (503) 797-1554	FAX (503) 797-1849
ADDRESS 600 NE GRAND AVENUE			CELL
CITY PORTLAND	STATE OR	ZIP 97232	E-MAIL* LAURIE.WULF@OREGONMETRO.GOV

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

AGENT / BUSINESS NAME NA		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL*

Note: Attach multiple copies as needed

* 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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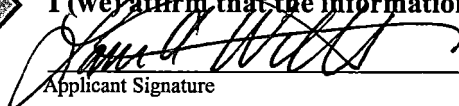
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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Laurie Wulf; Property & Project Management
Print Name and title if applicable

12/5/17
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. G-8588	Permit No.	Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- 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 irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).
NA

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Tabor Well	710 ft (approx.)	Unnamed Pond	<10 ft (estimated)
Park Well	360 ft (approx.)	Unnamed Pond	<10 ft (estimated)
Howell Field Well	290 ft (approx.)	Unnamed Pond	<10 ft (estimated)
Proposed Well 1	620 ft (approx.)	Unnamed Pond	<10 ft (estimated)

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

The Tabor and Howell Field Wells are MULT 1707 and MULT 609, respectively. No Water Well Report was found for the Park Well.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 231 gpm from any combination of wells (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Tabor Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MULT 1707	<input type="checkbox"/>	6 in	0 to 86	Open Bottom	0 to 20	40 11/10/1964	Alluvium	86 ft		
Park Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not Identified	<input type="checkbox"/>	6 in	Unknown	Unknown	Unknown	26 10/9/2006	Alluvium?	88 ft		
Howell Field Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MULT 609	<input type="checkbox"/>	8 in	+1 to 68	68 to 74; 80 to 86	0 to 68	13 1/24/1992	Alluvium	87 ft		
Proposed Well 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	<input type="checkbox"/>	8 in	+2 to 90	60 to 90	0 to 20	--	Alluvium	90 ft		

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 to October 31	103.0

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 41.2 Acres Supplemental: NA Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 103.2

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: NA
 Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): NA

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

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Pump (give horsepower and type): 7.5-hp submersibles in existing wells. Proposed Well 1 will have a submersible pump with the horsepower to be determined at time of construction.

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Three wells with buried mainlines exist. Additional buried mainlines may be installed in the irrigated fields. The system will have automated controls. Mainlines will be added to Proposed Well 1 if it is drilled.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*) Irrigation will be conducted using drip systems, sprinklers, big guns and/or wheel lines.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*). The requested rate (1/80th) and duty (2.5 AF/acre) are consistent with other irrigation permits issued in Western Oregon. Flowmeters will be installed at each well to allow measurement of water use. Irrigation will be timed and precipitation will be measured onsite to limit over-watering and to prevent discharges to surface waters. Some irrigation will also occur at night, when evaporation is less.

SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

If you would like to store groundwater in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

Volume of Reservoir (acre-feet): NA Dam height (feet, if excavated, write "zero"): NA

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUNDWATER FROM THE RESERVOIR

If you would like to use stored groundwater from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): NA

USE OF STORED GROUNDWATER	PERIOD OF USE
NA	NA

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SECTION 8: PROJECT SCHEDULE

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Date construction will begin: As soon as permit is issued

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Date construction will be completed: Spring 2023

Date beneficial water use will begin: Complete application of water by October 1, 2023

SECTION 9: 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	
Sauvie Island Drainage District (See Remarks below)	29264 Sauvie Island Road	
City	State	Zip
Portland	OR	97231

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (attach additional sheets if necessary).

As indicated in the attached email, Steven R. Bruce, RG, CWRE of Skookum Water Associates Inc. has contacted the Sauvie Island Drainage Improvement District (SIDID) about the proposed diminishment of its primary irrigation right under Certificate 49880. Based on the email response from Tim Couch, SIDID Manager, Metro is requesting that the acres of the SIDID right that are appurtenant to the proposed place of use described in this application be changed to supplemental irrigation if this application is approved.

Land Use

Information Form



Oregon Water Resources Department
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NOTE TO APPLICANTS

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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.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
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www.wrd.state.or.us

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Applicant: Metro Regional Government Attn: Laurie Wulf DEC 07 2017
First Last

Mailing Address: 600 NE Grand Avenue SALEM, OR

Portland OR 97232 Daytime Phone: (503) 797-1554
City State Zip

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:
See Attached List						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Multnomah County

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 Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond GroundWater Surface Water (name) _____

Estimated quantity of water needed: 0.52 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 _____

Briefly describe:

Groundwater from up to four wells will be used for irrigation.

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.** →

ATTACHMENT TO:

Oregon Water Resources Department

Land Use Information Form

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Applicant Name: Metro Regional Government

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SALEM, OR

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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	Water to be:	Proposed Land Use:
2 N	1 W	21	SW NE	100, 300		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Farmland
2 N	1 W	21	SE NE	100		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Farmland
2 N	1 W	21	NE NW	100		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Farmland
2 N	1 W	21	SE NW	100, 300		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Farmland
2 N	1 W	21	NE SW	100, 300		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Farmland
2 N	1 W	21	NW SE	300		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigated Farmland

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): MCC 34.262.0(A)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

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Name: Jason Barstead Long Title: Asst. Planner
 Signature: Jason Barstead Long Phone: 503-988-3043 Date: 11/28/17
 Government Entity: Multnomah County Land Use Planning

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: _____

Date _____

(For staff use only)



Oregon Water Resources Department
725 Summer Street NE, Suite A
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(503) 986-0900
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WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

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MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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Steve Bruce

From: Tim Couch <tim@sidrainage.org>
Sent: Thursday, October 19, 2017 3:37 PM
To: 'Steve Bruce'
Subject: RE: Planned Diminishment of 14.1 Acres of Primary Water Rights on Metro Property

Hi Steve,
All sounds right.

Tim Couch

District Manager
Sauvie Island Drainage Improvement Company
503-621-3397 office
503-858-7613 cell
tim@sidrainage.org

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From: Steve Bruce [mailto:steve@skookumwater.com]
Sent: Thursday, October 19, 2017 2:18 PM
To: tim@sidrainage.org
Cc: 'Laurie Wulf'
Subject: Planned Diminishment of: 14.1 Acres of Primary Water Rights on Metro Property

Hi Tim,

I understand you spoke with Laurie Wulf of Metro on Tuesday, October 17, 2017 about the proposed diminishment of the Sauvie Island Drainage District's primary water right on Metro's property. I am the Certified Water Right Examiner (CWRE) preparing the new groundwater-use application that would cover this property and wanted to confirm the following details for the proposed change of the District's right from primary to supplemental irrigation. I also wanted to confirm that the District will agree to the change, assuming the Oregon Water Resources Department issues a permit to Metro.

There are 14.1 acres of primary irrigation under Water Right Certificate 49880 located on taxlot 300 in Section 21 of Township 2 North, Range 1 West, WM., which is owned by Metro. The priority date of the right is April 5, 1950. The following provides the estimated acres in each quarter-quarter section that would be diminished from primary to supplemental irrigation on taxlot 300 under the new application.

- 7.6 acres in the SW NE
- 0.6 acres in the SE NW
- 1.3 acres in the NE SW; and
- 4.6 acres in the NW SE.

Please call or email me if you have any questions.

Thank you for the assistance.

Steve



Steven R. Bruce, RG, LHg, CWRE
1626 Victorian Way
Eugene, OR 97401
(503) 319-8926
www.skookumwater.com

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Until a change is requested, tax statements :
shall be sent to the following address: :
Metro Parks & Greenspaces Dept. :
600 NE Grand Avenue :
Portland, Oregon 97232 :

STATUTORY WARRANTY DEED

(Individual)

(Above Space Reserved for Recorder's Use)

Judith Taber, also known as Judith E. Taber-Bridge

conveys and warrants to
Metro, a municipal corporation established pursuant to Oregon law and the Metro Charter
the following described real property in the State of Oregon and County of Multnomah
free of encumbrances, except as specifically set forth herein:

AS PER EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Tax Account Number(s): R325146 and M359027

This property is free of encumbrances, EXCEPT:
AS PER EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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The true consideration for this conveyance is \$275,000.00

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

DATED this 8 day of November, 2002.

Judith E. Taber-Bridge

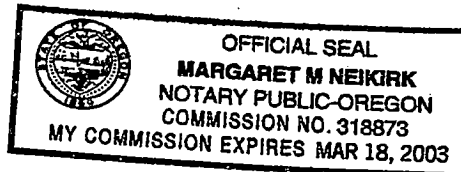
Judith E. Taber-Bridge

STATE OF OREGON, COUNTY OF MULTNOMAH) ss.

The foregoing instrument was acknowledged before me this 8 day of November, 2002, by
Judith E. Taber-Bridge.

Margaret M. Neikirk

Notary Public for Oregon
My Commission Expires: 3-18-03



7

TRANSACTION
TITLE/COMMERCIAL 1230221 M

the willamette meridian, in the County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at a 1 inch iron pipe, said iron pipe being located South 47° 36' 01" East 2106.61 feet from the Northwest corner of the James F. Bybee Donation Land Claim; thence South 17° 21' 00" East 272.31 feet; thence South 72° 39' 00" West 418.97 feet; thence South 45° 43' 00" East 254.00 feet; thence North 72° 39' 00" East 1460.14 feet; thence North 17° 21' 00" West 209.00 feet; thence North 72° 39' 00" East 536.14 feet to the Westerly bank of the Gilbert River; thence along said Westerly river bank Northwesterly 317.50 feet, more or less, to a 5/8 inch iron rod; thence leaving said Westerly river bank South 72° 28' 10" West 1575.76 feet to the point of beginning.

Together with the right to use jointly with the grantor, its successors and assigns, the private road as now located, from the property above described to the county road located on the top of the dyke.

Various easements also disclosed by the following instruments:

Deed,
Recorded April 12, 1962
Book/Volume 2111
Page 178

Deed,
Recorded December 3, 1962
Book/Volume 2145
Page 472

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SALEM, OR

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SALEM, OR

1. The subject property lies within the boundaries of the Sauvie Drainage Improvement Co. and is subject to the levies and assessments thereof.
2. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.
Account No. : R325146 (Alternate No. R971210100)
3. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Gilbert River.
4. Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 279.940.
5. Easements, claims of easements or encumbrances, not shown by the public records reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, or claims or title to water.
6. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of Gilbert River.
7. An easement created by instrument, including the terms and provisions thereof,
Dated : February 13, 1939
Recorded : April 5, 1939
Book/Volume : 490
Page : 435
In favor of : Sauvie Island Drainage District
For : Right of Way

The Sauvie Island Drainage District granted an interest in said easement rights to the United States of America by instrument recorded May 19, 1939 in Book 497, Page 251.
8. An easement created by instrument, including the terms and provisions thereof,
Dated : November 20, 1939
Recorded : November 21, 1939
Book/Volume : 523
Page : 13
In favor of : Sauvie Island Drainage District
For : Rights of way
9. An easement created by instrument, including the terms and provisions thereof,
Dated : November 20, 1939
Recorded : November 22, 1939
Book/Volume : 523
Page : 91
In favor of : Sauvie Island Drainage District
For : Rights of way
10. An easement created by instrument, including the terms and provisions thereof,
Dated : February 15, 1940

Recorded : September 23, 1954
Book/Volume : 1682
Page : 160
In favor of : Adjacent property owners
For : Roadway

12. An easement created by instrument, including the terms and provisions thereof,

Dated : October 14, 1961
Recorded : October 18, 1961
Book/Volume : 2086
Page : 295
In favor of : Sauvie Island Drainage District
For : Rights of way

13. An easement created by instrument, including the terms and provisions thereof,

Recorded : April 12, 1962
Book/Volume : 2111
Page : 178
In favor of : Adjacent property owners
For : Roadway

14. An easement created by instrument, including the terms and provisions thereof,

Recorded : December 3, 1962
Book/Volume : 2145
Page : 472
In favor of : Adjacent property owners
For : Roadway

15. An easement created by instrument, including the terms and provisions thereof,

Dated : June 26, 1970
Recorded : August 25, 1970
Book/Volume : 748
Page : 835
In favor of : Portland General Electric Company
For : Utilities

16. Lack of a right of access to and from said land. The property herein described does not appear, of record, to have access to a public street or way.

17. An easement created by instrument, including the terms and provisions thereof,

Dated : March 20, 1975
Recorded : April 14, 1975
Book : 1035
Page : 1530
Recorder's Fee No. : 14600
In favor of : Michael T. Goetz and Karen M. Goetz
For : Ingress and egress

18. Encroachment as disclosed by an inspection made in October of 2002, finding an improvement defined as a Barn. The legal description of said encroachment more particularly described in Exhibit "C", attached hereto. Exclusion of ingress and egress within or beyond the perimeter of the legal description described in Exhibit "C", for access by means of vehicular, pedestrian or other means to enter upon said encroachment as defined by Exhibit "C" herein. See Exhibit "D" attached hereto for map.

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SALEM, OR

A tract of land in Section 21, Township 2 North, Range 1 West of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows;

Beginning at a point on the Westerly bank of the Gilbert River, said point being the Southeasterly corner of that tract conveyed to Leon D. Taber and wife, by deed recorded in book 2145 page 473 Deed Records;
thence along the Southerly line of said Taber tract South $72^{\circ}39'00''$ West, 285.10 feet;
thence North $17^{\circ}21'00''$ West 209 feet to the northeasterly corner of the tract described in Book 1035, Page 1530 Deed Records;
thence along the north line of the tract described in Book 1035, Page 1530 Deed Records South $72^{\circ}39'00''$ West 126.30 feet to THE TRUE POINT OF BEGINNING;
thence along the arc of a curve to the left having 40 foot radius, central angle of $90^{\circ}00'00''$, and arc length of 62.83 feet (chord bears North $62^{\circ}21'00''$ West, 56.57 feet);
thence South $72^{\circ}39'00''$ West parallel to the north line of the tract described in Book 1035, Page 1530 Deed Records 46.00 feet;
thence along an arc of a curve to the left with 40' radius, central angle of $90^{\circ}00'00''$, and arc length of 62.83 feet (chord bears South $27^{\circ}39'00''$ W, 56.57 feet) to a point on the North line of said tract of land described in Book 1035 Page 1530 Deed Records;
thence along the North line of the tract described in Book 1035, Page 1530 Deed Records North $72^{\circ}39'00''$ East, 126.0 feet to the TRUE POINT OF BEGINNING.

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DEC 07 1977

SALEM OR

3184-23

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SALEM, OR

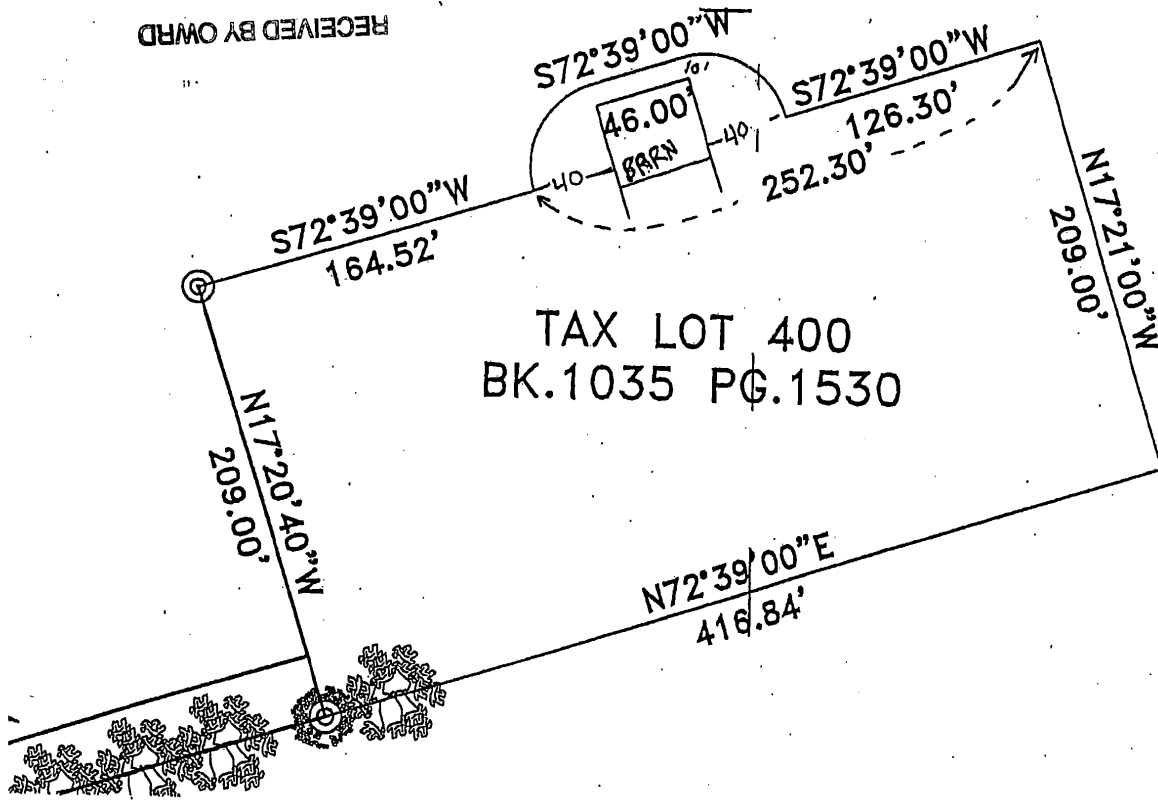


EXHIBIT D

83587-B



Metro
600 NE Grand
Portland, OR 97232
Grantor's Name and Address

Metro
600 NE Grand
Portland, OR 97232
Grantee's Name and Address

STATE OF OREGON, } ss.
County of _____ }
I certify that the within instrument
was received for record on the _____ day
of _____, 19____, at

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk
Total : 24.00
2000-100329 07/20/2000 02:07:46pm ATESL
A31 2 REC SUR DOR OLIS
10.00 3.00 10.00 1.00

By _____, Deputy.

RECORDED BY TERRY HILL
COURTESY ONLY: NOT EXAMINED

BARGAIN AND SALE DEED - STATUTORY FORM

Metro, a municipal corporation (CORPORATE GRANTOR)

a corporation duly organized and existing under the laws of the State of Oregon, Grantor,
conveys to Metro, a municipal corporation, Grantee,
the following real property situated in Multnomah County, Oregon, to-wit:

See Exhibit A attached hereto & by this reference made a part hereof.

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DEC 07 2001

SALEM, OR

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

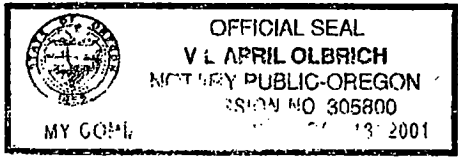
The true consideration for this conveyance is \$ 0 (Here, comply with the requirements of ORS 93.030.)
This conveyance is made to conform the property to the configuration
approved with Multnomah Co. property line adjustment case PLA 8-96.

Done by order of the grantor's board of directors with its corporate seal, if any, affixed on _____, 19____.

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

Metro, a municipal corporation
By Mike Burton, Executive Officer President
By _____, Secretary

STATE OF OREGON, County of Multnomah) ss.
This instrument was acknowledged before me on July 19, 2001
by Mike Burton
as Executive Officer
of Metro, a municipal corporation.



Notary Public for Oregon
My commission expires 10-13-2001

2

6-18-99

EXHIBIT A

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DEC 07 2017

LEGAL DESCRIPTION
METRO LEGAL AFTER ADJUSTMENT
TRACT #2

SALEM, OR

Beginning at a 1" iron pipe located in Section 21, Township 2 North, Range 1 West of the Willamette Meridian, Multnomah County, Oregon, said iron pipe also being located S47°36'01"E 2106.61 feet from the NW corner of the James F. Bybee DLC, thence S17°21'00"E 272.31 feet; thence S72°39'00"W 418.97 feet; thence S45°43'00"E 254.00 feet; thence S72°39'00"W 146.09 feet; thence S64°32'58"W 747.80 feet to the easterly right-of-way line of Suavie Island Road (Road #1438); thence N10°23'00"W 473.36 feet along said easterly right-of-way line; thence along a curve to the left whose radius is 1930 feet, delta is 01°23'05", length is 46.64 feet and whose chord bears N11°04'32"W 46.64 feet; thence N69°24'00"E 388.44 feet; thence S48°02'00"E 206.09 feet; thence S64°19'00"E 104.73 feet; thence N25°41'00"E 75.00 feet; thence N64°19'00"W 94.00 feet; thence N48°02'00"W 224.03 feet; thence S69°24'00"W 433.44 feet to the easterly right-of-way line of said Suavie Island Road; thence along a curve to the left whose radius is 1930 feet, delta is 00°33'54", length is 19.03 feet to the P.C. (Station 52+02.56); thence continuing along said easterly right-of-way line N14°03'10"W 758.00 feet; thence N69°53'30"E 858.85 feet; thence N18°14'40"W 990.14 feet to a 1" iron pipe located on the northerly line of the James F. Bybee DLC; thence along said northerly line of the James F. Bybee DLC N75°15'20"E 1922.47 feet to the westerly bank of the Gilbert River; thence along said westerly river bank the following: S04°54'50"E 538.85 feet, S14°03'40"E 452.76 feet to a 1" iron pipe, S13°48'40"E 428.55 feet to a 5/8" iron rod, S28°12'30"E 286.05 feet to a 5/8" iron rod; thence leaving said westerly river bank S72°28'10"W 1575.76 feet to the point of beginning.

The above described tract of land contains 101.51 acres, more or less.

APPROVED LOT LINE ADJUSTMENT	
In Accordance With MCC 11. <u>15, 2017</u>	
Case # <u>PLA 8-96</u>	Date <u>9/5/96</u>
Division of Planning & Development	
<i>Gary Clifford</i>	
MULTNOMAH COUNTY	

M 570
Multnomah County Oregon
Division of Assessment & Taxation
421 S.W. 6th, Room 309
Portland, Oregon 97204-1629



Oregon Water Resources Department
Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

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

Today's Date: Friday, December 8, 2017

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	4	\$1,050.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** 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		\$3,260.00

OWRD Fee Schedule

Fee Calculator Version B20170117

G-18588