

Application for a Permit to Use Surface Water



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

Water-Use Permit Application Processing

1. Completeness Determination

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.our). 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 \$410.00 for the applicant and \$810.00 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 can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: remarks

Attachments:

-
- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt. See Attachment A
 - 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. See Attachment B for legal description of the properties where the points of diversion and re-diversion are located, and the property crossed by the pipeline from Barney Reservoir.
 - Fees - Amount enclosed: \$ 12,196.80
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: See Attachment C

- 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)
- 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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Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

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

Organization Information

NAME BARNEY RESERVOIR JOINT OWNERSHIP COMMISSION		PHONE 503-615-6770	FAX
ADDRESS 150 E. MAIN STREET			CELL
CITY HILLSBORO	STATE OR	ZIP 97123	E-MAIL * NIKI.IVERSON@HILLSBORO-OREGON.GOV

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

AGENT / BUSINESS NAME GSI WATER SOLUTIONS		PHONE 541-257-9004	FAX
ADDRESS 1600 SW WESTERN BLVD, SUITE 240			CELL
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL * KGRIGSBY@GSIWS.COM

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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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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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.
- I have not provided my social security number in any of the materials submitted to the Department.

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

Applicant Signature

Applicant Signature

Kevin Hanway, General Manager
Print Name and title if applicable

Niki Iverson, Water Resources Manager
Print Name and title if applicable

Date

Date

App. No. <u>1808492</u>	For Department Use	Permit No. _____	Date _____
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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 - The City of Hillsboro (the Barney Reservoir Joint Ownership Commission managing agency) owns the land on which the dam (the point of diversion) is located.

There are no encumbrances.

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

No - The Barney Reservoir Joint Ownership Commission provides stored water for municipal use to its four municipal water provider members (the Cities of Hillsboro, Forest Grove, Beaverton and the Tualatin Valley Water District), and does not own all of the property to which its members convey and serve water.

I have a recorded easement or written authorization permitting access. The Oregon Board of Forestry owns the property crossed by the conveyance pipeline from Barney Reservoir. The U.S. Bureau of Reclamation owns the Spring Hill Pumping Plant and facilities and property where the stored water is re-diverted. (See Attachment D for these easements.)

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*).

N/A – The Applicant and its members are public corporations.

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. See Attachment B for the legal descriptions of the properties where water is to be diverted and re-diverted, and the property crossed by the pipeline from Barney Reservoir. RECEIVED BY OWRD

SECTION 3: SOURCE OF WATER

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A. Proposed Source of Water

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Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Barney Reservoir

Tributary to: Trask River

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name). Certificate 81024 – See Attachment E

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A above?

Yes - The members of the Barney Reservoir Joint Ownership Commission own the Barney Project.

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Barney Reservoir	Municipal	Year-round	30 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			8,734 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only: N/A – Application does not request the use of water for irrigation

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: _____ Acres Supplemental: _____ Acres

If supplemental Acres is listed, provide 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: _____

- If the use is **municipal or quasi-municipal**, attach **Form M – See Attachment F**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type):

The pumps at the Point of Re-Diversion are as follows:

Raw Water 1: 350 HP, Floway turbine pump

Raw Water 2: 300 HP, Floway turbine pump

Raw Water 3: 350 HP, Floway turbine pump

Raw Water 4: 350 HP, Floway turbine pump

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

The stored water will be released from Barney Reservoir at the outlet at the Mills Dam. The water will flow down a 36-inch transmission line. The water will be released from the pipe to an open gravity ditch, which flows into the Tualatin River. The point of re-diversion is at the Spring Hill Pumping Plant, which has four line-shaft turbine raw water pumps that draw water through traveling fish screens and feed two raw water transmission lines that convey the water to the JWC water treatment plant (WTP). Each of the two raw water transmission lines are equipped with flow meters for measuring and recording the rate of water diverted. Finished water from the WTP is conveyed to a 1.5 million gallon clearwell at the WTP and then conveyed to the municipal water distribution system by nine line-shaft turbine finished water pumps.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

N/A – Application is for municipal purposes.

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 public uses of affected surface waters.

This permit application requests the use of up 8,734 acre-feet of stored water from Barney Reservoir at a rate of up to 30 cfs. Certificate 81020 authorizes the use of stored water from the reservoir at a rate of up to 38.7 cfs. (See Attachment E.) The requested water right will provide additional operational flexibility to allow the use of stored water for municipal use at a total rate up to a total of 68.7 cfs, which is the current capacity at the point of diversion. (38.7 + 30 = 68.7)

The water withdrawals at the point of re-diversion will be measured at meters on the two raw water pipelines between the intake facility at the Spring Hill Pumping Plant and the JWC WTP. The amount of water diverted will be measured using flow meters on the two raw water transmission lines. The Cities of Hillsboro, Beaverton and Forest Grove, and the Tualatin Valley Water District (TVWD) have a variety of programs and measures in place to conserve water, which are described in detail in the approved 2010 JWC WMCP, 2014 TVWD WMCP, 2015 JWC WMCP Progress Report, and 2017 Hillsboro WMCP.

Public uses of surface water are not anticipated to be affected by this water right. Use of water under the requested permit will not affect the use of stored water from the reservoir to support fish flows delivered to the Trask River. Fifteen percent of the fill volume of Barney Reservoir is dedicated for fish flow purposes in coordination with ODFW.

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SECTION 6: RESOURCE PROTECTION

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In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: The point of re-diversion has a fish screen that prevents uptake of fish and other aquatic life. If needed, the Applicant will work with the Oregon Department of Fish and Wildlife on any fish screening requirements.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Existing infrastructure will be used to divert and convey water under this permit and no construction is required or anticipated. Use of water under this permit will not require excavation or clearing of banks.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: Existing infrastructure will be used to divert and convey water under this permit and no construction is required or anticipated. Use of water under this permit will not require operating equipment in a water body.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Existing infrastructure will be used to divert and convey water under this permit and no construction is required or anticipated. Use of water under this permit will not cause erosion or run-off of waste or chemical products.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: No construction is anticipated, but if any construction occurs (such as repair or replacement of the current system) it would begin within 20 years from the date on which the permit is issued.

Date construction will be completed: No construction is anticipated, but if any construction occurs (such as repair or replacement of the current system) it would be completed within 20 years from the date on which the permit is issued.

Date beneficial water use will begin: Within 20 years from the date on which the permit is issued.

SECTION 8: 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. N/A

Irrigation District Name	Address	
City	State	Zip

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

The Barney Reservoir Joint Ownership Commission owns and operates Barney Reservoir, Mills Dam and associated facilities. This permit application requests a new secondary water right for the use of stored water from Barney Reservoir for municipal purposes by four of the Commission’s members: the Cities of Hillsboro, Forest Grove and Beaverton, and TVWD. These municipal partners currently use stored water from the reservoir under Certificate 81020, which authorizes the use of the stored water for municipal purposes at a rate up to 38.7 cfs. The reservoir outlet, however, has a capacity of 68.7 cfs and at times municipal demand requires release of stored water at this rate. (This is especially true during periods of low flow when the municipal partners no longer have access to water under their natural flow water rights and must rely solely on the use of stored water, and when use of stored water from Hagg Lake (Scoggins Dam) is unavailable.) This application is intended to only increase the maximum authorized rate at which the stored water (up to 8,734 acre-feet) can be used for municipal purposes. It is not intended to authorize the use of additional volume of stored water.

The City of Hillsboro also holds Certificate 81021, which authorizes the use of stored water from Barney Reservoir for pollution abatement at a rate of up to 30.0 cfs. The use of this water is managed by Clean Water Services. Use of stored water under this right typically occurs in the early fall when river levels are low. The Barney Reservoir Joint Ownership Commission’s municipal members typically use little or no stored water from Barney Reservoir during this time, which is after their period of peak demand.

The proposed place of use is within the Cities of Hillsboro, Beaverton, and Forest Grove, and the TVWD drinking water service areas.

The use of stored water under the requested permit will not affect use of stored water from the reservoir to support fish flows delivered to the Trask River. Fifteen percent of the fill volume of Barney Reservoir is dedicated for fish flow purposes to the Trask River in coordination with ODFW.

The table below indicates the ownership and stored water allocation among the agencies.

Barney Reservoir

	Reservoir Ownership	Water Allocation	Storage at Full Capacity (ac-ft)
ODFW	0%	15%	3,000
TVWD	35%	28%	5,789
Hillsboro	31%	26%	5,127
Beaverton	21.50%	18%	3,556
Forest Grove	2.50%	2%	414
Clean Water Services	10%	8%	1,654
Dead Pool	-	2%	460
Total	100%	100%	20,000

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Attachment A
Land Use Information Forms
Surface Water Permit Application— Barney Reservoir Joint Ownership Commission

S-88492

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): Barney Reservoir Joint Ownership Commission

Mailing Address: 150 E. Main Street

City: Hillsboro

State: OR

Zip Code: 97123

Daytime Phone: 503-615-6735

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:
<u>See attached map</u>						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>municipal</u>
_____	_____	_____	_____	_____	_____	<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:

<u>City of Forest Grove,</u> <u>City of Hillsboro,</u> <u>City of Beaverton,</u> <u>City of Tigard,</u> <u>Washington County.</u>	RECEIVED BY OWRD DEC 26 2017 SALEM, OR
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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

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

Estimated quantity of water needed: 30
 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:

<u>The Barney Reservoir Joint Ownership Commission is requesting a secondary water right for use of stored water from Barney Reservoir for municipal purposes by four of the Commissions members: the Cities of Hillsboro, Forest Grove and Beaverton, and TVWD. The Applicant only intends to increase the maximum authorized rate at which the stored water can be used for municipal purposes, and will not increase the maximum volume of stored water that is used.</u>
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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. →

Handwritten: P-88492

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:	
		<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.

No infrastructure work conducted in Beaverton recognized in review of this form.

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Name: Scott Whyte Title: Senior Planner SALEM, OR

Signature: *Scott Whyte* Phone: (503) 526-2652 Date: 12-18-17

Government Entity: City of Beaverton

Note to local government representative: Please complete this form or sign the receipt below and return 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.

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Receipt for Request for Land Use Information

City of Beaverton
Planning Services

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form



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 - 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.

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

Applicant(s): Barney Reservoir Joint Ownership Commission

Mailing Address: 150 E. Main Street

City: Hillsboro

State: OR

Zip Code: 97123

Daytime Phone: 503-615-6735

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:
<u>See attached map</u>						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>municipal</u>
_____	_____	_____	_____	_____	_____	<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:

<u>City of Forest Grove,</u> <u>City of Hillsboro,</u> <u>City of Beaverton,</u> <u>City of Tigard,</u> <u>Washington County.</u>	<p>RECEIVED BY OWRD</p> <p>DEC 26 2017</p> <p>SALEM, OR</p>
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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

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

Estimated quantity of water needed: 30
 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:

The Barney Reservoir Joint Ownership Commission is requesting a secondary water right for use of stored water from Barney Reservoir for municipal purposes by four of the Commission's members: the Cities of Hillsboro, Forest Grove and Beaverton, and TVWD. The Applicant only intends to increase the maximum authorized rate at which the stored water can be used for municipal purposes, and will not increase the maximum volume of stored water that is used.

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. →

S-8882

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

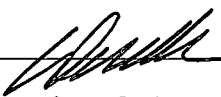
X Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): ORD 2009-01, 2014-01, 2014-02.

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
	RECEIVED BY OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	DEC 26 2017	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SALEM, OR	<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 land uses associated with the proposed use of water within the Forest Grove city limits are compatible with the Forest Grove Comprehensive Plan policies and map. Individual development applications will be reviewed in conformance with the Forest Grove Development Code including site development approval criteria, subdivision approval criteria and general development standards.

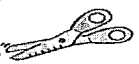
Name: DANIEL RIORDAN Title: SENIOR PLANNER
 Signature:  Phone: (503) 992-3226 Date: 12/14/17
 Government Entity: CITY OF FOREST GROVE

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: _____

S-88492



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): Barney Reservoir Joint Ownership Commission

Mailing Address: 150 E. Main Street

City: Hillsboro

State: OR

Zip Code: 97123

Daytime Phone: 503-615-6735

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:
<u>See attached map</u>						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>municipal</u>
_____	_____	_____	_____	_____	_____	<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:

<u>City of Forest Grove,</u> <u>City of Hillsboro,</u> <u>City of Beaverton,</u> <u>City of Tigard,</u> <u>Washington County.</u>	RECEIVED BY OWRD DEC 26 2017
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B. Description of Proposed Use

SALEM, OR

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

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

Estimated quantity of water needed: 30
 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:

<u>The Barney Reservoir Joint Ownership Commission is requesting a secondary water right for use of stored water from Barney Reservoir for municipal purposes by four of the Commissions members: the Cities of Hillsboro, Forest Grove and Beaverton, and TVWD. The Applicant only intends to increase the maximum authorized rate at which the stored water can be used for municipal purposes, and will not increase the maximum volume of stored water that is used.</u>
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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. →

S-8842

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): Hillsboro City Ordinance # 6249
- 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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none
DEC 26 2017

Name: Sarah A. Bruce SALEM, OR Title: Senior Planner

Signature: Sarah A. Bruce Phone: 503-681-6214 Date: 12/11/17

Government Entity: City of Hillsboro Planning Department

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: _____

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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DEC 26 2017

SALEM, OR

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): Barney Reservoir Joint Ownership Commission

Mailing Address: 150 E. Main Street

City: Hillsboro

State: OR

Zip Code: 97123

Daytime Phone: 503-615-6735

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 map						<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>municipal</u>
_____	_____	_____	_____	_____	_____	<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:

<u>City of Forest Grove,</u> <u>City of Hillsboro,</u> <u>City of Beaverton,</u> <u>City of Tigard,</u> <u>Washington County.</u>	RECEIVED BY OWRD DEC 26 2017 SALEM, OR
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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

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

Estimated quantity of water needed: 30 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:

<u>The Barney Reservoir Joint Ownership Commission is requesting a secondary water right for use of stored water from Barney Reservoir for municipal purposes by four of the Commissions members: the Cities of Hillsboro, Forest Grove and Beaverton, and TVWD. The Applicant only intends to increase the maximum authorized rate at which the stored water can be used for municipal purposes, and will not increase the maximum volume of stored water that is used.</u>
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See bottom of Page 3. →

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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): **Tigard Community Development Code (Title 18)**
- 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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DEC 26 2017

Name: **Tom McGuire** Title: **Assistant Community Development Director**

SALEM, OR

Signature:

Phone: **(503) 718-2490** Date: **12/11/17**

Government Entity: **City of Tigard**

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: _____

S-88472

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

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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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DEC 26 2017

SALEM, OR

5-88492

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): Barney Reservoir Joint Ownership Commission

Mailing Address: 150 E. Main Street

City: Hillsboro

State: OR

Zip Code: 97123

Daytime Phone: 503-615-6735

A. Land and Location

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Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>See attached map</u>				101	_____	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>municipal</u>
<u>See attached maps</u>				_____	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>municipal</u>
<u>See attached map</u>				_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>municipal</u>
_____	_____	_____	_____	_____	_____	<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:

<u>City of Forest Grove,</u> <u>City of Hillsboro,</u> <u>City of Beaverton,</u> <u>City of Tigard,</u> <u>Washington County.</u>	RECEIVED BY OWRD DEC 26 2017
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SALEM, OR

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

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

Estimated quantity of water needed: 30
 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:

<u>The Barney Reservoir Joint Ownership Commission is requesting a secondary water right for use of stored water from Barney Reservoir for municipal purposes by four of the Commissions members: the Cities of Hillsboro, Forest Grove and Beaverton, and TVWD. The Applicant only intends to increase the maximum authorized rate at which the stored water can be used for municipal purposes, and will not increase the maximum volume of stored water that is used.</u>
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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. →

5-88492

For Local Government Use Only

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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): CDC SECTION 201-2.4.
- 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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DEC 26 2017
SALEM, OR

Name: GEMMY BOND Title: SENIOR PLANNER
 Signature: [Handwritten Signature] Phone: 5038463846 Date: 12-8-17
 Government Entity: WASHINGTON COUNTY

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: _____

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DEC 26 2017

SALEM, OR

Attachment B
Legal Descriptions

Surface Water Permit Application—Barney Reservoir Joint Ownership Commission

S-88492

1365

PERMANENT EASEMENT

A strip of land 40.0 feet in width situate in Sections 22, 26 and 27, T1S, R6W, W.M., Washington County, Oregon, being 20.0 feet in width on each side of and parallel with the following described center line; based on Oregon Coordinate System, North Zone.

Beginning at Engineer's center line Station 2/37.9, a point which bears North 3098.48 feet and West 3868.41 feet from an iron pipe with a brass cap set at the 1/4 Section corner on the East line of Section 35, T1S, R6W, W.M., and which point also bears South 2118.74 feet and East 1169.24 feet from an iron pipe with brass cap set at the 1/4 Section corner on the West line of said Section 26 and running thence N 19° 09'-1/2' W 187.1 feet to Station 4/25.0; thence N 61° 08' W 230.8 feet to Station 6/55.8; thence N 45° 58' W 256.1 feet to Station 9/11.9 P.C.; thence on a 1500.0 foot radius curve left (the long chord of which bears N 55° 21' W 489.12 feet) 491.3 feet to Station 14/03.2 P.T.; thence N 64° 44' W 76.4 feet to Station 14/79.6; thence N 58° 48' W 420.0 feet to Station 18/99.6; thence N 13° 36'-1/2' W 96.0 feet to Station 19/95.6 P.C.; thence on a 400.0 foot radius curve right (the long chord of which bears N 5° 07' E 256.85 feet) 261.5 feet to Station 22/57.0 P.T.; thence N 23° 51' E 60.6 feet to Station 23/17.7; thence N 13° 44'-1/2' W 216.4 feet to Station 25/34.1; thence N 33° 33' W 630.4 feet to Station 31/64.5; thence N 16° 28'-1/2' E 251.6 feet to Station 34/16.1; thence N 25° 11' W 142.2 feet to Station 35/58.4; thence N 54° 13'-1/2' W 0.6 feet to Station 35/59.0 P.C.; thence on a 1250.0 foot radius curve left (the long chord of which bears N 58° 52' W 202.2 feet) 202.4 feet to Station 37/61.5 P.T.; thence N 63° 30' W 206.0 feet to Station 39/67.5; thence N 79° 52'-1/2' W 159.0 feet to Station 41/26.5; thence S 64° 19'-1/2' W 234.6 feet to Station 43/61.2; thence N 39° 02' W 218.6 feet to Station 45/79.7; thence N 24° 13'-1/2' W 109.7 feet to Station 46/89.4; thence N 4° 12'-1/2' E 130.5 feet to Station 48/19.9; thence N 12° 27'-1/2' E 286.6 feet to Station 51/06.5; thence N 5° 21'-1/2' W 136.5 feet to Station 52/43.0; thence N 20° 19' W 430.0 feet to Station 56/72.9; thence N 3° 26'-1/2' W 163.8 feet to Station 58/36.7; thence N 5° 01'-1/2' W 214.6 feet to Station 60/51.3; thence N 39° 49' W 320.9 feet to Station 63/72.1; thence N 7° 48' E 450.0 feet to and terminating at Engineer's center line Station 68/22.1, from which terminating point the 1/4 Section corner on the East line of said Section 27 bears South 2797.44 feet and East 1645.52 feet.

Containing 6.05 acres, more or less.

Also, an easement is hereby granted for the open discharge and flow of water from the terminus pipe line located on the above described easement Northerly and Easterly in the natural drainage channel across said Section 22, a distance of 1400 feet, more or less, to the main water course of the Tualatin River.

Filed for record May 1 1968 9:19 A.M.
ROGER THOMSEN, Director of Records & Elections
By N. Cop Deputy

EXHIBIT "B"

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BOOK **692** PAGE **315**

DEC 26 2017

SALEM, OR

S-88492

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PERMANENT EASEMENT

A strip of land 40.0 feet in width situate in Sections 22, 26 and 27, T1S, R6W, W.M., Washington County, Oregon, being 20.0 feet in width on each side of and parallel with the following described center line; based on Oregon Coordinate System, North Zone.

Beginning at Engineer's center line Station 2/37.9, a point which bears North 3098.48 feet and West 3868.41 feet from an iron pipe with a brass cap set at the 1/4 Section corner on the East line of Section 35, T1S, R6W, W.M., and which point also bears South 2118.74 feet and East 1169.24 feet from an iron pipe with brass cap set at the 1/4 Section corner on the West line of said Section 26 and running thence N 19° 09'-1/2' W 187.1 feet to Station 4/25.0; thence N 61° 08' W 230.8 feet to Station 6/55.8; thence N 45° 58' W 256.1 feet to Station 9/11.9 P.C.; thence on a 1500.0 foot radius curve left (the long chord of which bears N 55° 21' W 489.12 feet) 491.3 feet to Station 14/03.2 P.T.; thence N 64° 44' W 76.4 feet to Station 14/79.6; thence N 58° 48' W 420.0 feet to Station 18/99.6; thence N 13° 36'-1/2' W 96.0 feet to Station 19/95.6 P.C.; thence on a 400.0 foot radius curve right (the long chord of which bears N 5° 07' E 256.85 feet) 261.5 feet to Station 22/57.0 P.T.; thence N 23° 51' E 60.6 feet to Station 23/17.7; thence N 13° 44'-1/2' W 216.4 feet to Station 25/34.1; thence N 33° 33' W 630.4 feet to Station 31/64.5; thence N 16° 28'-1/2' E 251.6 feet to Station 34/16.1; thence N 25° 11' W 142.2 feet to Station 35/58.4; thence N 54° 13'-1/2' W 0.6 feet to Station 35/59.0 P.C.; thence on a 1250.0 foot radius curve left (the long chord of which bears N 58° 52' W 202.2 feet) 202.4 feet to Station 37/61.5 P.T.; thence N 63° 30' W 206.0 feet to Station 39/67.5; thence N 79° 52'-1/2' W 159.0 feet to Station 41/26.5; thence S 64° 19'-1/2' W 234.6 feet to Station 43/61.2; thence N 39° 02' W 218.6 feet to Station 45/79.7; thence N 24° 13'-1/2' W 109.7 feet to Station 46/89.4; thence N 4° 12'-1/2' E 130.5 feet to Station 48/19.9; thence N 12° 27'-1/2' E 286.6 feet to Station 51/06.5; thence N 5° 21'-1/2' W 136.5 feet to Station 52/43.0; thence N 20° 19' W 430.0 feet to Station 56/72.9; thence N 3° 26'-1/2' W 163.8 feet to Station 58/36.7; thence N 5° 01'-1/2' W 214.6 feet to Station 60/51.3; thence N 39° 49' W 320.9 feet to Station 63/72.1; thence N 7° 48' E 450.0 feet to and terminating at Engineer's center line Station 68/22.1, from which terminating point the 1/4 Section corner on the East line of said Section 27 bears South 2797.44 feet and East 1645.52 feet.

Containing 6.05 acres, more or less.

Also, an easement is hereby granted for the open discharge and flow of water from the terminus pipe line located on the above described easement Northerly and Easterly in the natural drainage channel across said Section 22, a distance of 1400 feet, more or less, to the main water course of the Tualatin River.

Filed for record... May 1 19 68 at 9:19 A.M.
ROGER THOMSEN, Director of Records & Elections
By TCap Deputy

EXHIBIT "B"

BOOK **692** PAGE **315**

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84028282

WARRANTY DEED

The grantors Robert R. Cook and Helen M. Cook, husband and wife, for in consideration of the sum of two thousand one hundred fifty dollars (\$2,150), in hand paid, receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey to the United States of America and its assigns, the following described tracts or parcels of land in the County of Washington in the State of Oregon to wit:

SH-68-2
Parcel No. 1

That portion of Sections seven and eight (7 and 8), Township one (1) South, Range three (3) West, Willamette Meridian, in Washington County, State of Oregon, and more specifically described as follows:

Beginning at a point N20°14'02"E 384.79 feet from the southwest corner of said Section eight;

- Thence N75°06'59"W 80.00 feet;
- Thence N14°53'01"E 128.24 feet;
- Thence N69°06'17"W 36.34 feet;
- Thence N62°44'09"W 149.80 feet;
- Thence N58°43'31"W 189.84 feet;
- Thence N78°37'28"W 91.38 feet;
- Thence S84°03'36"W 195.49 feet;

Thence N17°03'29"E 65.06 feet to a point on the thread of the Tualatin River which lies N34°08'22"W 900.91 feet from the southwest corner of said Section eight; thence downstream along the thread of the Tualatin River to a point which lies N18°29'35"E 569.91 feet from the southwest corner of said Section eight; thence S14°53'01"W 185.67 feet to the point of beginning.

This parcel contains plus or minus 1.3 acres.

Bearings are based on property line described "S14°55'21"W 250 feet" on the Warranty Deed Instrument No. 9140, Book 977, Page 611.

SH-68-2
Parcel No. 2
Temporary Construction Easement

That portion of Sections seven and eight (7 and 8), Township one (1) South, Range three (3) West, Willamette Meridian, in Washington County, State of Oregon, and more specifically described as follows:

Beginning at a point N8°18'49"E 385.64 feet from the southwest corner of said Section eight;

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CORRECT AS TO ENGINEERING
DATA *A.C. Drake*

9-88492

Thence N75°06'59"W 20.00 feet;
Thence N14°53'00"E 120.30 feet;
Thence N69°06'17"W 17.00 feet;
Thence N62°46'28"W 150.89 feet;
Thence N58°43'31"W 189.87 feet;
Thence N78°39'23"W 86.63 feet;
Thence S84°16'59"W 198.67 feet;
Thence N17°03'29"E 10.00 feet;
Thence N84°03'36"E 195.49 feet;
Thence S78°37'28"E 91.38 feet;
Thence S58°43'31"E 189.84 feet;
Thence S62°44'09"E 149.80 feet;
Thence S69°06'17"E 36.34 feet;
Thence S14°53'01"W 128.24 feet to the point of beginning.

This parcel contains plus or minus .2 acre.

Bearings are based on property line described "S14°55'21"W 250 feet on the Warranty Deed Instrument No. 9140, Book 977, Page 611.

Said easement terminates December 31, 1985.

To Have and to Hold the said tract or parcel of land, with appurtenances thereof, to the United States of America and its assigns forever.

The grantors covenant to and with the United States of America that grantors are lawfully seized in fee simple of the above granted premises; have a good and lawful right and power to sell and convey the same; that the same is free and clear of all encumbrances, except as above shown, and that grantors will forever warrant and defend the title thereto and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

The above described property is being acquired by the Department of the Interior, Bureau of Reclamation.

This conveyance is made pursuant to the provisions of Act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto.

Dated this 25th day of May , 1984.

Robert R. Cook
Robert R. Cook

Helen M. Cook
Helen M. Cook

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2

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Attachment C
Application Maps

Surface Water Permit Application—Barney Reservoir Joint Ownership Commission

588492

Kim Grigsby

From: SAUTER Jerry K <jerry.k.sauter@wrд.state.or.us>
Sent: Wednesday, February 17, 2016 10:44 AM
To: Kim Grigsby
Subject: RE: Map scale waiver request

Kim,

Sounds reasonable, but it would be fun to have a 12X10 foot map! I think a waiver is appropriate in this instance.
JK

J.K. (Jerry) Sauter | Water Rights Program Analyst
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph. 503.986.0817 | Fax 503.986.0901
Information Requests may be made to : customerservice@wrд.state.or.us

From: Kim Grigsby [<mailto:KGrigsby@gsiws.com>]
Sent: Wednesday, February 17, 2016 10:18 AM
To: SAUTER Jerry K
Subject: Map scale waiver request

Jerry,

We are going to be filing a permit application for the Barney Reservoir Joint Ownership Commission (Hillsboro, Beaverton, TVWD and Forest Grove). Because of the size of these entities' combined service areas, we are requesting a map scale waiver for the proposed place of use map. (See attached.) The point of diversion map is attached and is at a standard scale.

Thank you for assistance.

Best regards,
Kim

Kimberly Grigsby
Senior Water Resources Consultant | GSI Water Solutions, Inc.
direct: 541-257-9004 | cell: 503-351-1912
1600 SW Western Blvd., Suite 240, Corvallis, OR 97333
www.gsiws.com | bio | kgrigsby@gsiws.com

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Attachment D

Written Authorizations and Easements

Surface Water Permit Application– Barney Reservoir Joint Ownership Commission

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EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the STATE OF OREGON, acting by and through its Board of Forestry, grantor, for and in consideration of Ten and 00/100 Dollars (\$10.00), to it paid by the CITY OF HILLSBORO, a political subdivision of the State of Oregon, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto the CITY OF HILLSBORO, a political subdivision of the State of Oregon, grantee, its successors and assigns, an easement and way for construction, maintenance and use of a water pipeline, which easement and way is in the County of Washington, State of Oregon; and more particularly described as follows:

(1) During the period of construction of said water pipeline, said easement and way shall be of the width and along the center line as shown on Exhibit "A", attached hereto and by this reference made a part hereof; AND THEREAFTER,

(2) Said easement and way shall be of the width and along the center line as shown on Exhibit "B", attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD said easement and way unto grantee, its successors and assigns, for the purposes above stated, including open discharge and flow of water from the terminus pipeline as described on said Exhibit "B", forever.

IN WITNESS WHEREOF, the STATE OF OREGON, acting by and through its Board of Forestry, has by Resolution of said board on January 3, 1968, authorized its Secretary to execute this instrument on this 29 day of April, 1968.

STATE OF OREGON, acting by and through its Board of Forestry

Witness:

Shirley M. Wolf

By J. E. Schroeder
J. E. Schroeder, State Forester,
and Secretary of the Board

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ACKNOWLEDGMENT

STATE OF OREGON)
) ss.
County of Marion

On this 29th day of April, 1968, before me appeared J. E. Schroeder, to me personally known, who, being duly sworn, did say that he, the said J. E. Schroeder, is the State Forester and Secretary of the Oregon State Board of Forestry, and that the within instrument was signed for and by authority of said board, and said J. E. Schroeder acknowledged said instrument to be the free act and deed of said board, acting for and in behalf of the State of Oregon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this the day and year first in this my certificate, written.

Burdell E. Birch
Notary Public for Oregon
My commission expires: June 1, 1970



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SALEM, OR

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TEMPORARY CONSTRUCTION EASEMENT

A strip of land 100.0 feet in width situate in Sections 22, 26 and 27, T1S, R6W, W.M., Washington County, Oregon, being 50.0 feet in width on each side of and parallel with the following described center line; based on Oregon Coordinate System, North Zone.

Beginning at Engineer's center line Station 2/37.9, a point which bears North 3098.48 feet and West 3868.41 feet from an iron pipe with a brass cap set at the 1/4 Section corner on the East line of Section 35, T1S, R6W, W.M., and which point also bears South 2118.74 feet and East 1169.24 feet from an iron pipe with brass cap set at the 1/4 Section corner on the West line of said Section 26 and running thence N 19° 09'-1/2' W 187.1 feet to Station 4/25.0; thence N 61° 08' W 230.8 feet to Station 6/55.8; thence N 45° 58' W 256.1 feet to Station 9/11.9 P.C.; thence on a 1500.0 foot radius curve left (the long chord of which bears N 55° 21' W 489.12 feet) 491.3 feet to Station 14/03.2 P.T.; thence N 64° 44' W 76.4 feet to Station 14/79.6; thence N 58° 48' W 420.0 feet to Station 18/99.6; thence N 13° 36'-1/2' W 96.0 feet to Station 19/95.6 P.C.; thence on a 400.0 foot radius curve right (the long chord of which bears N 5° 07' E 256.85 feet) 261.5 feet to Station 22/57.0 P.T.; thence N 23° 51' E 60.6 feet to Station 23/17.7; thence N 13° 44'-1/2' W 216.4 feet to Station 25/34.1; thence N 33° 33' W 630.4 feet to Station 31/64.5; thence N 16° 28'-1/2' E 251.6 feet to Station 34/16.1; thence N 25° 11' W 142.2 feet to Station 35/58.4; thence N 54° 13'-1/2' W 0.6 feet to Station 35/59.0 P.C.; thence on a 1250.0 foot radius curve left (the long chord of which bears N 58° 52' W 202.2 feet) 202.4 feet to Station 37/61.5 P.T.; thence N 63° 30' W 206.0 feet to Station 39/67.5; thence N 79° 52'-1/2' W 159.0 feet to Station 41/26.5; thence S 64° 19'-1/2' W 234.6 feet to Station 43/61.2; thence N 39° 02' W 218.6 feet to Station 45/79.7; thence N 24° 13'-1/2' W 109.7 feet to Station 46/89.4; thence N 4° 12'-1/2' E 130.5 feet to Station 48/19.9; thence N 12° 27'-1/2' E 286.6 feet to Station 51/06.5; thence N 5° 21'-1/2' W 136.5 feet to Station 52/43.0; thence N 20° 19' W 430.0 feet to Station 56/72.9; thence N 3° 26'-1/2' W 163.8 feet to Station 58/36.7; thence N 5° 01'-1/2' W 214.6 feet to Station 60/51.3; thence N 39° 49' W 320.9 feet to Station 63/72.1; thence N 7° 48' E 450.0 feet to and terminating at Engineer's center line Station 68/22.1, from which terminating point the 1/4 Section corner on the East line of said Section 27 bears South 2797.44 feet and East 1645.52 feet.

Containing 9.07 acres, more or less, in excess of the acreage contained in the permanent easement.

EXHIBIT "A"

BOOK 692 PAGE 314

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S-88482

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PERMANENT EASEMENT

A strip of land 40.0 feet in width situate in Sections 22, 26 and 27, T1S, R6W, W.M., Washington County, Oregon, being 20.0 feet in width on each side of and parallel with the following described center line; based on Oregon Coordinate System, North Zone.

Beginning at Engineer's center line Station 2/37.9, a point which bears North 3098.48 feet and West 3868.41 feet from an iron pipe with a brass cap set at the 1/4 Section corner on the East line of Section 35, T1S, R6W, W.M., and which point also bears South 2118.74 feet and East 1169.24 feet from an iron pipe with brass cap set at the 1/4 Section corner on the West line of said Section 26 and running thence N 19° 09'-1/2' W 187.1 feet to Station 4/25.0; thence N 61° 08' W 230.8 feet to Station 6/55.8; thence N 45° 58' W 256.1 feet to Station 9/11.9 P.C.; thence on a 1500.0 foot radius curve left (the long chord of which bears N 55° 21' W 489.12 feet) 491.3 feet to Station 14/03.2 P.T.; thence N 64° 44' W 76.4 feet to Station 14/79.6; thence N 58° 48' W 420.0 feet to Station 18/99.6; thence N 13° 36'-1/2' W 96.0 feet to Station 19/95.6 P.C.; thence on a 400.0 foot radius curve right (the long chord of which bears N 5° 07' E 256.85 feet) 261.5 feet to Station 22/57.0 P.T.; thence N 23° 51' E 60.6 feet to Station 23/17.7; thence N 13° 44'-1/2' W 216.4 feet to Station 25/34.1; thence N 33° 33' W 630.4 feet to Station 31/64.5; thence N 16° 28'-1/2' E 251.6 feet to Station 34/16.1; thence N 25° 11' W-142.2 feet to Station 35/58.4; thence N 54° 13'-1/2' W 0.6 feet to Station 35/59.0 P.C.; thence on a 1250.0 foot radius curve left (the long chord of which bears N 58° 52' W 202.2 feet) 202.4 feet to Station 37/61.5 P.T.; thence N 63° 30' W 206.0 feet to Station 39/67.5; thence N 79° 52'-1/2' W 159.0 feet to Station 41/26.5; thence S 64° 19'-1/2' W 234.6 feet to Station 43/61.2; thence N 39° 02' W 218.6 feet to Station 45/79.7; thence N 24° 13'-1/2' W 109.7 feet to Station 46/89.4; thence N 4° 12'-1/2' E 130.5 feet to Station 48/19.9; thence N 12° 27'-1/2' E 286.6 feet to Station 51/06.5; thence N 5° 21'-1/2' W 136.5 feet to Station 52/43.0; thence N 20° 19' W 430.0 feet to Station 56/72.9; thence N 3° 26'-1/2' W 163.8 feet to Station 58/36.7; thence N 5° 01'-1/2' W 214.6 feet to Station 60/51.3; thence N 39° 49' W 320.9 feet to Station 63/72.1; thence N 7° 48' E 450.0 feet to and terminating at Engineer's center line Station 68/22.1, from which terminating point the 1/4 Section corner on the East line of said Section 27 bears South 2797.44 feet and East 1645.52 feet.

Containing 6.05 acres, more or less.

Also, an easement is hereby granted for the open discharge and flow of water from the terminus pipe line located on the above described easement Northerly and Easterly in the natural drainage channel across said Section 22, a distance of 1400 feet, more or less, to the main water course of the Tualatin River.

Filed for record May 1 1968 at 9:19 A.M.
ROGER THOMSSSEN, Director of Records & Elections
By J. Cop Deputy

EXHIBIT "B"

BOOK 692 PAGE 315

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Field Solicitor
Draft
10/26/73
Rev. 11/6/73

UNITED STATES Contract No.
DEPARTMENT OF THE INTERIOR 14-06-100-8069
BUREAU OF RECLAMATION
Tualatin Federal Reclamation Project, Oregon

SUPPLEMENTAL CONTRACT BETWEEN THE
UNITED STATES OF AMERICA AND THE CITY OF HILLSBORO

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Field Solicitor
Draft
10/26/73
Rev. 11/6/73

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Tualatin Federal Reclamation Project, Oregon

Contract No.
14-06-100-8069

SUPPLEMENTAL CONTRACT BETWEEN THE
UNITED STATES OF AMERICA AND THE CITY OF HILLSBORO

1 THIS SUPPLEMENTAL CONTRACT, made this 8th day of
2 March, 1974, by and between the UNITED STATES OF AMERICA,
3 acting through the Secretary of the Interior by his duly authorized
4 representative, hereinafter referred to as the Contracting Officer,
5 pursuant to the Act of Congress of June 17, 1902 (32 Stat. 388),
6 and acts amendatory thereof and supplementary thereto, particularly
7 the Acts of March 4, 1921 (41 Stat. 1404), and September 20, 1966
8 (80 Stat. 822), and the CITY OF HILLSBORO, hereinafter referred to
9 as the Contractor, a municipal corporation duly organized and exist-
10 ing under the laws of the State of Oregon,

11 WITNESSETH, THAT:

12 Explanatory Recitals

13 2. WHEREAS, the United States is presently constructing,
14 pursuant to the Act of September 20, 1966, the Tualatin Federal
15 Reclamation Project and proposes to construct as a part of the
16 project works the Spring Hill Pumping Plant for the diversion and
17 pumping of irrigation water; and

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1 under article 7 except that portion of the work done exclusively for
2 the Contractor's pumping facility such as traveling water screens
3 and pump discharge lines and such other work as the Contractor shall
4 request for its pumping facility, which costs shall not be credited.
5 The Contractor will be provided a written notice of the amount of
6 the credit as determined by the Contracting Officer. In the event
7 the Contractor determines that prior to the completion of the work
8 contemplated by this agreement it does not desire to make any further
9 advance of funds to complete the work, the Contracting Officer shall
10 complete the work to the extent the advance funds permit and provide
11 an amount of credit proportional to the value of the then completed
12 work, as determined by the Contracting Officer, to the project.

13 Use, Title, Operation and Maintenance
of Spring Hill Pumping Plant

14 12. (a) Title to Spring Hill Pumping Plant, together with the
15 lands and interests acquired therefor, shall be in and remain in
16 the United States until otherwise provided by the Congress. Title
17 to the pumping machinery, discharge pipes, and other equipment to
18 be installed in the plant by the Contractor shall remain in the
19 Contractor.

20 (b) Upon completion of the pumping plant, the Contractor
21 shall have the right to use the area of the pumping plant so desig-
22 nated on the attached drawing, labeled exhibit A, together with the

Contractor
is COH

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1 right to install its pumping facilities and discharge pipes as shown
2 on exhibit A.

3 (c) The United States will care for, operate, and main-
4 tain the Spring Hill Pumping Plant facility. The United States may,
5 however, transfer to an operating organization, care, operation, and
6 maintenance of the facility or any portion thereof. Beginning with
7 January 1 of the calendar year after the Contracting Officer announces
8 the Spring Hill Pumping Plant facility is substantially completed,
9 the Contractor shall pay to the United States in advance the Contrac-
10 tor's share of operating and maintaining the facility. Of the total
11 annual costs incurred in such operation and maintenance by the United
12 States, 40 percent of the costs common to the pumping plant building,
13 grounds, and intake structures, shall be allocated to the Contractor.
14 The Contractor's share of other costs of operation and maintenance
15 shall be in the proportion that such costs are incurred for the use
16 of labor and materials in connection with work to be done on the
17 specific pumping facilities of the Contractor. The Contracting
18 Officer shall notify the Contractor of its share of the estimated
19 cost of operating and maintaining the Spring Hill Pumping Plant
20 facility for the succeeding year and payment shall be made by the
21 Contractor one-half on or before January of the year for which it is
22 due and one-half on or before June 30 of that year. Whenever, in
23 the opinion of the Contracting Officer, funds advanced will be

MMD JWD
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Feb. 26, 1974

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DEC 26 2017

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1 inadequate to operate and maintain the facility, he may give a
2 supplemental notice stating therein the amount of the Contractor's
3 share, and the Contractor shall advance such additional amount on
4 or before the date or dates specified in the supplemental notice.

5 United States Not Liable for Water
Shortage or Interruptions

6 13. No liability shall accrue against the United States or
7 any of its officers, agents, or employees for damage, direct or
8 indirect, arising by reason of shortages in the quantity of water
9 available or interruptions in water deliveries to the Contractor
10 resulting from drought, inaccuracy in distribution, hostile diver-
11 sion, prior or superior claims, accident to or failure of facil-
12 ities whether or not attributable to negligence of officers, agents,
13 or employees of the United States, or other causes of whatsoever
14 kind. Nor shall the Contractor's obligations to the United States
15 under this contract be reduced by reason of such shortages or
16 interruptions.

17 Quality of Water; Water and Air Pollution Control

18 14. (a) The operation and maintenance of project facilities
19 shall be performed in such manner as is practicable to maintain the
20 quality of raw water made available through such facilities at the
21 highest level reasonably attainable as determined by the Contracting
22 Officer. The United States does not warrant the quality of water

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1 (b) No official of the Contractor shall receive any
2 benefit that may arise by reason of this contract other than as a
3 landowner within the project and in the same manner as other land-
4 owners within the project.

5 Notices

6 21. Any notice, demand, or request authorized or required by
7 this contract shall be deemed to have been given when mailed,
8 postage prepaid, or delivered to the Regional Director, Pacific
9 Northwest Region, Bureau of Reclamation, Box 043, Boise, Idaho 83724,
10 on behalf of the United States, and to the City Manager of the City
11 of Hillsboro, Oregon, on behalf of the Contractor. The designation
12 of the addressee or the address may be changed by notice given in
13 the same manner as provided in this article for other notices.

14 IN WITNESS WHEREOF, the parties hereto have signed their
15 names as of the day and year first above written.

UNITED STATES OF AMERICA

Acting /s/ Norman H. Moore
Regional Director
Pacific Northwest Regional Office
Bureau of Reclamation
Box 043, Boise, Idaho 83724

(SEAL)

CITY OF HILLSBORO

Attest:

/s/ Herbert L. Schneider
Chairman, City of Hillsboro
Public Utilities Commission

/s/ J. W. Davies
Secretary

/s/ Miller M. Duris
Mayor

Attachment
Exhibit A

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DEC 26 2017

STATE OF IDAHO)
) ss.
County of Ada)

On this 8th day of March , 1974 , personally appeared before me Norman H. Moore , to me known to be the official of the United States of America that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.

(SEAL)

/s/ John H. Welch
Notary Public in and for the
State of Idaho
Residing at Boise
My commission expires: 6-10-75

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STATE OF OREGON)
) ss.
County of)

On this 20th day of December, 1973, before me, a Notary Public in and for the State of Oregon, personally appeared Herbert L. Schneider, Chairman of the City of Hillsboro Public Utilities Commission, Miller M. Duris, Mayor, and J. W. Davies, Secretary, of the City of Hillsboro, Oregon, known to me to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.

(SEAL)

/s/ Bernice E. Barinaga
Notary Public in and for the
State of Oregon
Residing at:
My commission expires:
January 20, 1977

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S-88492

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Attachment E
Certificates 81024 and 81020

Surface Water Permit Application—Barney Reservoir Joint Ownership Commission

S-08492

STATE OF OREGON

COUNTIES OF WASHINGTON AND YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF HILLSBORO
123 W. MAIN STREET
HILLSBORO, OR 97123-3999

confirms the right to store the waters of MIDDLE FORK OF THE NORTH FORK OF THE TRASK RIVER, a tributary of TRASK RIVER, in J. W. BARNEY RESERVOIR, appropriated under Permit 32139, for MUNICIPAL USE.

The right to store these waters was perfected under Reservoir Permit R-4890. The date of priority is JUNE 26, 1958 FOR 12,600 ACRE-FEET (AF) AND DECEMBER 10, 1965 FOR 7400 AF. The amount of water entitled to be stored each year under this right is not more than 20,000 AF.

The reservoir is located as follows:

S 1/2 SW 1/4
SW 1/4 SE 1/4
SECTION 26

N 1/2
NE 1/4 SW 1/4
N 1/2 SE 1/4
SE 1/4 SE 1/4
SECTION 35

W 1/2
SE 1/4
SECTION 36

TOWNSHIP 1 SOUTH, RANGE 6 WEST, W.M.

NW 1/4
N 1/2 SW 1/4
SE 1/4 SW 1/4
W 1/2 SE 1/4
SE 1/4 SE 1/4
SECTION 1

NE 1/4 NE 1/4
SECTION 2

TOWNSHIP 2 SOUTH, RANGE 6 WEST, W.M.

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SALEM, OR

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

R-32420.SB


Certificate Number 81024

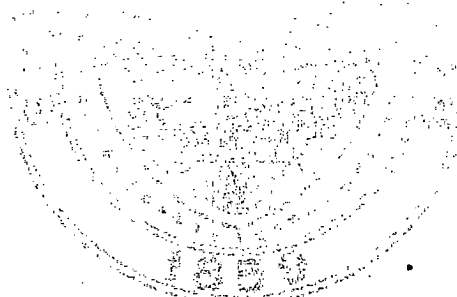
88482

The amount of water allowed to be stored under this right, together with the amount allowed under Permit R-5773 is limited to 20,000 AF.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

Issued December 16, 2004.


Phillip E. Ward, Director
Water Resources Department



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Recorded in State Record of Water Right Certificates Number 81024.

R-32420.SB

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF HILLSBORO
123 W. MAIN STREET
HILLSBORO, OR 97123-3999

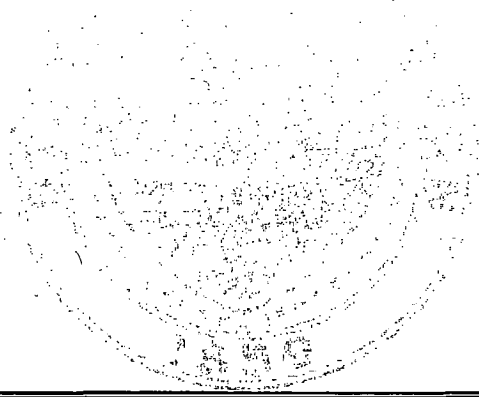
confirms the right to use the waters of MIDDLE FORK OF NORTH FORK TRASK RIVER AND BARNEY RESERVOIR CONSTRUCTED UNDER PERMIT NO. R-4890, a tributary of TRASK RIVER, for MUNICIPAL USE.

This right was perfected under Permit 32139. The date of priority is JUNE 26, 1958. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 38.7 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6 WEST, W.M.

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



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This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

32421.SB

Certificate Number 81020

S-88472

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

S 1/2 N 1/2
SW 1/4
N 1/2 SE 1/4
Section 17

W 1/2 NE 1/4
SE 1/4 NE 1/4
E 1/2 NW 1/4
S 1/2
Section 18

All
Sections 19 and 20

NW 1/4
S 1/2
Section 21

S 1/2
Section 22

N 1/2 NW 1/4
SW 1/4 NW 1/4
Section 26

All
Sections 27 through
35
Township 1 North,
Range 1 West, W.M.

S 1/2 N 1/2
S 1/2
Section 14

E 1/2 NE 1/4
S 1/2 SW 1/4
NW 1/4 SW 1/4
E 1/2 SE 1/4
SW 1/4 SE 1/4
Section 15

E 1/2 SE 1/4
Section 16

S 1/2 S 1/2
Section 19

NE 1/4 SE 1/4
S 1/2 S 1/2
Section 20

NE 1/4 NE 1/4
NW 1/4 SW 1/4
S 1/2 S 1/2
Section 21

All
Sections 22 and 23

S 1/2 NE 1/4
W 1/2
SE 1/4
Section 24

All
Sections 25 through
36

Township 1 North,
Range 2 West, W.M.

SE 1/4 SE 1/4
Section 24

E 1/2
E 1/2 W 1/2
NW 1/4 NW 1/4
Section 25

S 1/2 SW 1/4
Section 30

S 1/2 NE 1/4
W 1/2
SE 1/4
Section 31

SE 1/4 NE 1/4

S 1/2 NW 1/4
S 1/2
Section 32

SW 1/4 NE 1/4
S 1/2 NW 1/4
S 1/2
Section 33

S 1/2 N 1/2
S 1/2
Section 34

S 1/2 N 1/2
S 1/2
Section 35

NE 1/4
NE 1/4 NW 1/4
S 1/2 NW 1/4
S 1/2

Section 36
Township 1 North,
Range 3 West, W.M.

SE 1/4 NE 1/4
E 1/2 SE 1/4
Section 7

SW 1/4 NW 1/4
SW 1/4

SW 1/4 SE 1/4
Section 8

NW 1/4 SW 1/4
S 1/2 SW 1/4
Section 16

NW 1/4 NE 1/4
S 1/2 NE 1/4
NW 1/4

32421.SB

Certificate Number 81020

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NE 1/4 SW 1/4
SE 1/4
Section 17

NE 1/4
Section 18

NE 1/4 NE 1/4
Section 20

NW 1/4
N 1/2 SW 1/4
SE 1/4 SW 1/4
NW 1/4 SE 1/4
S 1/2 SE 1/4
Section 21

W 1/2 SW 1/4
S 1/2 SE 1/4
Section 25

S 1/2
Section 26

NW 1/4 NW 1/4
S 1/2 NW 1/4
S 1/2
Section 27

NE 1/4
N 1/2 SE 1/4
Section 28

NE 1/4
N 1/2 NW 1/4
NE 1/4 SE 1/4
Section 35

All
Section 36
Township 1 North,
Range 4 West, W.M.

All
Sections 1 through
9

N 1/2
N 1/2 S 1/2
S 1/2 SW 1/4
Section 10

NW 1/4 NE 1/4
NW 1/4
Section 11

SW 1/4 NE 1/4
S 1/2 NW 1/4
SW 1/4
W 1/2 SE 1/4
Section 14

S 1/2 NE 1/4
W 1/2
SE 1/4
Section 15

All
Sections 16 through
22

NW 1/4 NE 1/4
S 1/2 NE 1/4
W 1/2
SE 1/4
Section 23

E 1/2
SE 1/4 NW 1/4
S 1/2
Section 24

All
Sections 25 through
30

E 1/2
E 1/2 NW 1/4
NE 1/4 SW 1/4
Section 31

All
Sections 32 through
36
Township 1 South,
Range 1 West, W.M.

All
Sections 1 through 6

N 1/2
E 1/2 SE 1/4
Section 7

All
Sections 8 through
14

NE 1/4
N 1/2 NW 1/4
Section 15

NE 1/4
N 1/2 NW 1/4
SE 1/4 NW 1/4
Section 16

N 1/2 NE 1/4
Section 17

All
Sections 23, 24 and
25

E 1/2 NE 1/4
Section 26
Township 1 South,
Range 2 West, W.M.

N 1/2
NE 1/4 SW 1/4
N 1/2 SE 1/4
Section 1

N 1/2
Section 2

N 1/2
Section 3

N 1/2
N 1/2 SW 1/4
N 1/2 SE 1/4
SW 1/4 SE 1/4
Section 4

32421.SB

Certificate Number 81020

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N 1/2
SW 1/4
N 1/2 SE 1/4
SW 1/4 SE 1/4
Section 5

N 1/2
SW 1/4
N 1/2 SE 1/4
SW 1/4 SE 1/4
Section 6

N 1/2 NW 1/4
Section 7

N 1/2 NW 1/4
Section 8

W 1/2
SE 1/4
Section 31

SW 1/4
Section 32
Township 1 South,
Range 3 West, W.M.

N 1/2 NE 1/4
SE 1/4 NE 1/4
S 1/2 SW 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
Section 1

SE 1/4 SE 1/4
Section 2

All
Sections 12 and 13

SE 1/4
Section 14

W 1/2 NE 1/4
SE 1/4 NW 1/4

E 1/2 SW 1/4
W 1/2 SE 1/4
SE 1/4 SE 1/4
Section 21

SW 1/4 SW 1/4
SE 1/4 SE 1/4
Section 22

All
Section 23

N 1/2
SW 1/4
Section 26

All
Section 27

NE 1/4
E 1/2 SE 1/4
Section 28

S 1/2 S 1/2
Section 30

NE 1/4
N 1/2 NW 1/4
Section 31

SW 1/4 NE 1/4
NW 1/4 NW 1/4
S 1/2 NW 1/4
N 1/2 SW 1/4
SE 1/4 SW 1/4
SE 1/4
Section 32

E 1/2
E 1/2 NW 1/4
SW 1/4 NW 1/4
SW 1/4
Section 33

All
Section 34

W 1/2

SE 1/4
Section 35

NE 1/4 NE 1/4
SE 1/4

Section 36
Township 1 South,
Range 4 West, W.M.

NE 1/4 SW 1/4
N 1/2 SE 1/4
Section 21

SW 1/4
NW 1/4 SE 1/4
S 1/2 SE 1/4
Section 22

S 1/2 S 1/2
Section 25

SW 1/4 NE 1/4
NW 1/4
NE 1/4 SW 1/4
SE 1/4
Section 26

N 1/2 NE 1/4
Section 27

NE 1/4 NE 1/4
Section 35

N 1/2 N 1/2
Section 36
Township 1 South,
Range 5 West, W.M.

All
Sections 1 through 5

S 1/2 NE 1/4
SE 1/4
Section 6

E 1/2 NE 1/4

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Certificate Number 81020

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33-333

Section 7

N 1/2 NE 1/4
SW 1/4 NE 1/4
W 1/2

All
Sections 8 through
12

Section 22

N 1/2
SW 1/4
SW 1/4 SE 1/4
Section 13

W 1/2 NW 1/4
Section 30
Township 2 South,
Range 3 West, W.M.

All
Sections 1, 2 and 3

N 1/2
N 1/2 SE 1/4
Section 14

E 1/2
E 1/2 W 1/2
Section 4

N 1/2
N 1/2 SW 1/4
Section 15

NE 1/4
E 1/2 NW 1/4
E 1/2 SE 1/4
Section 9

E 1/2
N 1/2 NW 1/4
SE 1/4 NW 1/4
E 1/2 SW 1/4
Section 16
Township 2 South,
Range 1 West, W.M.

N 1/2
SW 1/4
Section 10

All
Sections 2 through
9

N 1/2
E 1/2 SW 1/4
SE 1/4
Section 11

N 1/2 NE 1/4
SE 1/4 NE 1/4
W 1/2 NW 1/4
SW 1/4
NE 1/4 SE 1/4
Section 10

All
Sections 12 and 13

NE 1/4
E 1/2 NW 1/4
S 1/2 SE 1/4
Section 14

N 1/2
Section 11

S 1/2 SE 1/4
Section 24

NW 1/4
S 1/2
Section 15

NE 1/4
Section 25
Township 2 South,
Range 4 West, W.M.

All
Sections 16 through
21

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SALEM, OR

32421.SB


Certificate Number 81020

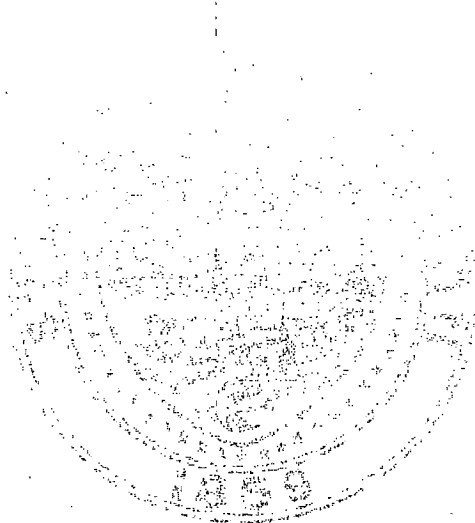
S-88492

Water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued December 16, 2004.


Phillip C. Ward, Director
Water Resources Department



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Recorded in State Record of Water Right Certificates Number 81020.

32421.SB

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Attachment F
Form M

Surface Water Permit Application—Barney Reservoir Joint Ownership Commission

S. BOER



Oregon Water Resources Department

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).
1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: City of Beaverton

Name and size of area to be served: 18.73 square miles
(in square miles)

Present population of service area: 68,862 in 2014 (Portland State University - Regional Water Providers' Consortium)
(Contact county planning staff, if needed.)

Projected population in 20 years: 81,386 in 2038 (2014 Portland State University - Regional Water Providers' Consortium)
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
See attached tables			

Water Use

Average yearly demand: 7,821 AFY Year: 2014

Per-capita daily consumption (in gallons): 94.3 gpcd
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6/1 to 9/30 Total peak season demand: 3,705 Acre-feet

Peak season per-capita daily consumption: 143.7 gpcd
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

Produced: 2,548 MG
(diverted or pumped)

Delivered: 2,370 MG

Is your system fully metered? Yes No

Describe your rate structure: Increasing base charge based on meter size plus charge based on volume used.
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

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SALEM, OR

2-88472

Request for Water

A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other):

The Barney Reservoir Joint Ownership Commission (BRJOC) requests the use of up to 30 cfs from Barney Reservoir. The requested water right will provide additional operational flexibility to allow the use of stored water at a rate up to 68.7 cfs, which is needed to meet peak demand during periods of low flow when the municipal partners have reduced access to water under their natural flow water rights and must rely on the use of stored water. This application is intended only to increase the maximum authorized rate at which the stored water can be used for municipal purposes. It is not intended to authorize the use of an additional volume of stored water.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) This water right is needed to meet Beaverton's immediate need for operational flexibility during periods of high demand and will contribute to the City's supply during the next 20 years..

C. Briefly discuss operation of water system and the most constraining component of the system:

The pipeline that conveys water from Barney Reservoir to the Tualatin River has a capacity of 68.7 cfs, and is the most constraining component. The released stored water is re-diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the Joint Water Commission (JWC) water treatment plant. From the water treatment plant, water is conveyed to the BRJOC Partners' service areas.

D. Percentage of water use by type:

Residential: <u>70.4%</u>	Commercial: <u>20.5% (includes industrial)</u>
Public Authority: <u>1% (fire only)</u>	Agricultural: <u>8.1% (irrigation)</u>
Unaccounted for use: <u>7.0%</u>	Industrial: _____
Other (specify use): _____	

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

There is no cost to implement the proposed request, as all the infrastructure needed to divert and treat the additional 30 cfs of stored water is already in place. The BRJOC's request for an additional 30 cfs from Barney Reservoir is not intended as a solution to long-term projected demand. During low flow periods when BRJOC partners' natural flow water rights cannot be utilized, the partners need to use stored water at a higher rate. The City has implemented numerous conservation efforts, as described in the JWC WMCP. Although these efforts assist in maximizing the efficient use of existing sources, they do not eliminate the Partners' need for increased operational flexibility in their use of stored water.

F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

The JWC's approved 2010 WMCP used a conservation savings goal of 0.8% for demonstration purposes. Even if this conservation goal was met, the Partners would require the requested water right to meet demands during peak demand periods when the Partners' natural flow water rights are unavailable.

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DEC 26 2017

Last revision: March 26, 2009

S-88492

SALEM, OR



Oregon Water Resources Department

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).
1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: City of Forest Grove

Name and size of area to be served: Approximately 6 square miles
(in square miles)

Present population of service area: 22,824 in 2013 (2014 Portland State University - Regional Water Providers' Consortium)
(Contact county planning staff, if needed.)

Projected population in 20 years: 28,542 in 2038 (2014 Portland State University - Regional Water Providers' Consortium)
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
<u>See attached tables</u>			

Water Use

Average yearly demand: 3,434 AFY Year: 2014

Per-capita daily consumption (in gallons): 116.2
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6/1 to 9/30 Total peak season demand: 1,557 Acre-feet

Peak season per-capita daily consumption: 182.3
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

Produced: 1,119 MG
(diverted or pumped)

Delivered: 968 MG

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DEC 26 2017

SALEM, OR

Is your system fully metered? Yes No

Describe your rate structure: Volumetric and tiered block rate based on customer class.
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

S-88492

Request for Water

A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other):

The Barney Reservoir Joint Ownership Commission (BRJOC) requests the use of up to 30 cfs from Barney Reservoir. The requested water right will provide additional operational flexibility to allow the use of stored water at a rate up to 68.7 cfs, which is needed to meet peak demand during periods of low flow when the municipal partners have reduced access to water under their natural flow water rights and must rely on the use of stored water. This application is intended only to increase the maximum authorized rate at which the stored water can be used for municipal purposes. It is not intended to authorize the use of an additional volume of stored water.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) This water right is needed to meet Forest Grove's immediate need for operational flexibility during periods of high demand and will contribute to the City's supply during the next 20 years.

C. Briefly discuss operation of water system and the most constraining component of the system:

The pipeline that conveys water from Barney Reservoir to the Tualatin River has a capacity of 68.7 cfs, and is the most constraining component. The released stored water is re-diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the Joint Water Commission (JWC) water treatment plant. From the water treatment plant, water is conveyed to the BRJOC Partners' service areas.

D. Percentage of water use by type:

Residential: 60.8% Commercial: 15.7%
Public Authority: 9.1% Agricultural: N/A
Unaccounted for use: 13.5% Industrial: 14.4%
Other (specify use):

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

There is no cost to implement the proposed request, as all the infrastructure needed to divert and treat the additional 30 cfs of stored water is already in place. The BRJOC's request for an additional 30 cfs from Barney Reservoir is not intended as a solution to long-term projected demand. During low flow periods when BRJOC partners' natural flow water rights cannot be utilized, the partners need to use stored water at a higher rate. The City has implemented numerous conservation efforts, as described in the JWC WMCP. Although these efforts assist in maximizing the efficient use of existing sources, they do not eliminate the Partners' need for increased operational flexibility in their use of stored water.

F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

The JWC's approved 2010 WMCP used a conservation savings goal of 0.8% for demonstration purposes. Even if this conservation goal was met, the Partners would require the requested water right to meet demands during peak demand periods when the Partners' natural flow water rights are unavailable.

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5-88492

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Oregon Water Resources Department

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).
1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: City of Hillsboro

Name and size of area to be served: City of Hillsboro Water Service Area - approximately 26.25 square miles (in square miles)

Present population of service area: 100,328 in 2015 (Approved 2017 WMCP)
(Contact county planning staff, if needed.)

Projected population in 20 years: 132,746 in 2038 (Following approach of 2017 WMCP, with future demands reprojected for 2038)
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
<u>See attached tables</u>			

Water Use

Average yearly demand: 20945 AFY Year: 2015

Per-capita daily consumption (in gallons): 174.7 gpcd
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6/1 to 9/30 Total peak season demand: 9,258 Acre-feet

Peak season per-capita daily consumption: 246.5 gpcd
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

Produced: 6,825 MG
(diverted or pumped)
Delivered: 6,399 MG

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Is your system fully metered? Yes No

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Describe your rate structure: Increasing tiered rate based on volume and customer class.
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

S-88422

Request for Water

A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other):

The Barney Reservoir Joint Ownership Commission (BRJOC) requests the use of up to 30 cfs from Barney Reservoir. The requested water right will provide additional operational flexibility to allow the use of stored water at a rate up to 68.7 cfs, which is needed to meet peak demand during periods of low flow when the municipal partners have reduced access to water under their natural flow water rights and must rely on the use of stored water. This application is intended only to increase the maximum authorized rate at which the stored water can be used for municipal purposes. It is not intended to authorize the use of an additional volume of stored water.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) This water right is needed to meet Hillsboro's immediate need for operational flexibility during periods of high demand and will contribute to the City's supply during the next 20 years.

C. Briefly discuss operation of water system and the most constraining component of the system:

The pipeline that conveys water from Barney Reservoir to the Tualatin River has a capacity of 68.7 cfs, and is the most constraining component. The released stored water is re-diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the Joint Water Commission (JWC) water treatment plant. From the water treatment plant, water is conveyed to the BRJOC Partners' service areas.

D. Percentage of water use by type:

Residential: 31.8%

Commercial: 6.5%

Public Authority: 2.6%

Agricultural: 4.4% (irrigation)

Unaccounted for use: 6.2%

Industrial: 46.4%

Other (specify use): 8.2% (wholesale)

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

There is no cost to implement the proposed request, as all the infrastructure needed to divert and treat the additional 30 cfs of stored water is already in place. The BRJOC's request for an additional 30 cfs from Barney Reservoir is not intended as a solution to long-term projected demand. During low flow periods when BRJOC partners' natural flow water rights cannot be utilized, the partners need to use stored water at a higher rate. The City has implemented numerous conservation efforts, as described in the JWC WMCP. Although these efforts assist in maximizing the efficient use of existing sources, they do not eliminate the Partners' need for increased operational flexibility in their use of stored water.

F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

The JWC's approved 2010 WMCP used a conservation savings goal of 0.8% for demonstration purposes. Even if this conservation goal was met, the Partners would require the requested water right to meet demands during peak demand periods when the Partners' natural flow water rights are unavailable.

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Oregon Water Resources Department

FORM M

FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).
1 acre-foot is equal to 325,851 gallons.

Background Information

Name of water supplier: Tualatin Valley Water District

Name and size of area to be served: Approximately 45 square miles (Approved 2015 WMCP)
(in square miles)

Present population of service area: 213,756 in 2014 (2014 Portland State University - Regional Water Providers' Consortium)
(Contact county planning staff, if needed.)

Projected population in 20 years: 289,189 in 2038 (Approved 2015 WMCP)
(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
<u>See attached tables</u>			

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Water Use

Average yearly demand: 22,992 AFY Year: 2014

Per-capita daily consumption (in gallons): 99.8 gpcd
(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)

Peak season (by month/day): 6/1 to 9/30 Total peak season demand: 10,547 Acre-feet

Peak season per-capita daily consumption: 131.8 gpcd
(Divide total peak season demand by population and the number of days during the peak.)

Annual amount of water:

Produced: 7,492 MG
(diverted or pumped)

Delivered: 7,784 MG

*As described in the 2015 WMCP, deliveries exceed production due to a malfunctioning Portland Water Bureau supply meter at the Wolf Creek WTP. TVWD estimates unaccounted for use is <10%

Is your system fully metered? Yes No

Describe your rate structure: Increasing base charge based on meter size plus two-tiered inclining block volume charge.
(e.g. flat rate, increasing or decreasing block rate or combination of different systems)

P-88492

Request for Water

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A. Discuss the reason(s) for your request for additional water

(e.g. loss of current supply, peak demand, growth, or other):

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The Barney Reservoir Joint Ownership Commission (BRJOC) requests the use of up to 30 cfs from Barney Reservoir. The requested water right will provide additional operational flexibility to allow the use of stored water at a rate up to 68.7 cfs, which is needed to meet peak demand during periods of low flow when the municipal partners have reduced access to water under their natural flow water rights and must rely on the use of stored water. This application is intended only to increase the maximum authorized rate at which the stored water can be used for municipal purposes. It is not intended to authorize the use of an additional volume of stored water.

B. How long is the amount of water requested in this application expected to meet future needs?

(e.g. until the year 2040) This water right is needed to meet TVWD's immediate need for operational flexibility during periods of high demand and will contribute to the District's supply during the next 20 years.

C. Briefly discuss operation of water system and the most constraining component of the system:

The pipeline that conveys water from Barney Reservoir to the Tualatin River has a capacity of 68.7 cfs, and is the most constraining component. The released stored water is re-diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the Joint Water Commission (JWC) water treatment plant. From the water treatment plant, water is conveyed to the BRJOC Partners' service areas.

D. Percentage of water use by type:

Residential: 68.5% Commercial: 16.2% (includes industrial)
 Public Authority: <1% (fire only) Agricultural: 5.6% (irrigation)
 Unaccounted for use: -3.9% (see note on prev. page) Industrial: 9.0%
 Other (specify use): 0.7% (wholesale)

E. List cost to implement proposed request.

Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)

There is no cost to implement the proposed request, as all the infrastructure needed to divert and treat the additional 30 cfs of stored water is already in place. The BRJOC's request for an additional 30 cfs from Barney Reservoir is not intended as a solution to long-term projected demand. During low flow periods when BRJOC partners' natural flow water rights cannot be utilized, the partners need to use stored water at a higher rate. The City has implemented numerous conservation efforts, as described in the JWC WMCP. Although these efforts assist in maximizing the efficient use of existing sources, they do not eliminate the Partners' need for increased operational flexibility in their use of stored water.

F. How and by how much will your proposed water use efficiency programs increase efficiency?

(Express as a percentage of per-capita consumption.)

The JWC's approved 2010 WMCP used a conservation-savings goal of 0.8% for demonstration purposes. (TVWD did not set a benchmark for implementation of conservation programs in its 2015 WMCP, though the District continually evaluates the effectiveness of its conservation programs.) Even if this conservation goal was met, the Partners would require the requested water right to meet demands during peak demand periods when the Partners' natural flow water rights are unavailable.

Joint Water Commission (JWC)

JWC Average Daily and Average Monthly Diversions by Water Right, 2008-2014.

Source	Priority Date	Application and Permit	Certificate, Claim or Transfer, or Registration	Entity name on water right	Type of Beneficial Use	Authorized Rate (cfs)	Authorized Volume	Average Daily Diversion (mgd)							Average Monthly Diversion (MG)											
								2008	2009	2010	2011	2012	2013	2014	2008	2009	2010	2011	2012	2013	2014					
Sain Creek	1/22/1912	A: S-2016 P: S-1136	c. 81026	City of Hillsboro	MU	3	n/a																			
Sain Creek	5/1/1915	A: S-4250 P: S-2443	c. 81027	City of Hillsboro	MU	2	n/a																			
Gales Creek	2/14/1947	A: S-22251	T-1167	City of Forest Grove	MU	4.46	n/a																			
Tualatin River	8/15/1930	A: S-13681 P: S-10408	c. 67891	City of Hillsboro	MU	9	n/a																			
Tualatin River	2/6/1974	A: S-51643 P: S-46423	c. 85913	City of Hillsboro	MU	43	n/a																			
Tualatin River	7/15/1980	A: S-60357 P: S-45455	c. 85914	City of Beaverton	MU	25	n/a																			
Roaring and Clear Creeks and Tualatin River	4/28/1976	A: S-54203 P: S-40615	c.85916	City of Forest Grove	MU	38.26 (JWC portion of this WR is 33 cfs from Tualatin River)	n/a																			
Scoggins Creek	6/9/1988	A: S-69637 P: S-54737	T-11155 (permit amendment)	Joint Water Commission	MU	75	n/a																			
Middle Fork of the North Fork Trask River (Barney Reservoir)	6/26/1958 & 12/10/1965	A: R-32420 P: R-4890	c. 81024	City of Hillsboro	MU	n/a	12,600 AF & 7,400 AF	30.1	29.7	26.8	27.0	29.1	29.2	32.4	919.2	903.1	814.9	821.2	888.1	886.9	984.2					
Middle Fork of the North Fork Trask River and Barney Reservoir	6/26/1958	A: S-32421 P: S-32139	c. 81020	City of Hillsboro	MU	38.7	n/a																			
Barney Reservoir	6/24/1971	A: S-48359 P: S-37837	c. 81022	City of Forest Grove	MU	n/a	500 AF																			
Middle Fork of the North Fork Trask River (Barney Reservoir)	12/23/1971	A: R-49807 P: R-5773	c. 81023	City of Hillsboro	PA	n/a	2,000 AF																			
Barney Reservoir	7/8/1971	A: S-48420 P: S-35782	c. 81021	City of Hillsboro	PA	30	n/a																			
Scoggins Creek	2/20/1963	A: R-38449	c. 81149	Bureau of Reclamation	IR, MU,WQ,FI & RC	n/a	total of 60,000 AF (13,500 AF for MU by JWC agencies)																			
Scoggins Creek and Reservoir, Carpenter, Gales, Dairy and McKay Creeks and Tualatin River	2/20/1963	A: S-38447 P: S-35792		Bureau of Reclamation	IR, RC, MU, FI, & WQ	366.8 total	n/a																			

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JWC Average Daily and Average Monthly Diversions by Water Right, 2008-2014, cont.

Source	Priority Date	Application and Permit	Certificate, Claim or Transfer, or Registration	Entity name on water right	Type of Beneficial Use	Authorized Rate (cfs)	Authorized Volume	Average Daily Diversion (mgd)							Average Monthly Diversion (MG)							
								2008	2009	2010	2011	2012	2013	2014	2008	2009	2010	2011	2012	2013	2014	
Sain Creek, Tualatin River, Scoggins Creek and tributaries, Bull Run River, Willamette River, Tualatin River, Sandy River		ASR LL 019		Joint Water Commission ¹	ASR	Recovery: up to 28,000 gpm (40.3 mgd) total (2000 gpm (2.9 mgd) from each of 14 wells)	2.1 billion gallons	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

¹Currently, TVWD is the only JWC Member Agency accessing ASR LL 019, which is authorized in an intergovernmental agreement with the JWC.

City of Hillsboro

Source	Priority Date	Application and Permit	Certificate, Claim or Transfer, or Registration	Entity name on water right	Type of Beneficial Use	Authorized Rate (cfs)	Authorized Volume	Average Daily Diversion (mgd)							Average Monthly Diversion (MG)							
								2008	2009	2010	2011	2012	2013	2014	2008	2009	2010	2011	2012	2013	2014	
Willamette River	12/6/1976	A: S-55010 P: S-55045	Permit Amendment (T-12512)	City of Salem, City of Hillsboro	Municipal	200 (56 cfs of which is the City of Hillsboro's portion)	n/a	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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City of Forest Grove

City of Forest Grove Average Daily and Average Monthly Diversions by Water Right, 2008-2014.

Source	Priority Date	Application and Permit	Certificate, Claim or Transfer, or Registration	Entity name on water right	Type of Beneficial Use	Authorized Rate (cfs)	Authorized Volume	Average Daily Diversion (mgd)							Average Monthly Diversion (MG)						
								2008	2009	2010	2011	2012	2013	2014	2008	2009	2010	2011	2012	2013	2014
Branches of Clear Creek	3/29/1917	A: S-5460 P: S-3318	c. 2194	City of Forest Grove	MU	0.8	n/a	1.79	1.91	1.76	1.98	1.85	2.03	0.96	54.5	58.2	53.5	60.1	56.4	61.6	29.1
Four Branches of Clear Creek	4/16/1935	A: S-15790 P: S-12034	c. 13471	City of Forest Grove	MU	1	n/a														
Branches of Clear Creek	7/27/1939	A: S-18298 P: S-13944	c. 13797	City of Forest Grove	MU	1	n/a														
Roaring and Clear Creeks and Tualatin River	4/28/1976	A: S-54203 P: S-40615		City of Forest Grove	MU	38.26 (Forest Grove's portion of this right: 2.43 cfs from Roaring Creek and 2.83 from Clear Creek)	n/a														

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S-8842

City of Beaverton

City of Beaverton Average Daily and Average Monthly Diversions by Water Right, 2008-2014.

Source	Priority Date	Application and Permit	Certificate, Claim or Transfer, or Registration	Entity name on water right	Type of Beneficial Use	Authorized Rate (cfs)	Authorized Volume	Average Daily Diversion (mgd) ¹							Average Monthly Diversion (MG) ²						
								2008	2009	2010	2011	2012	2013	2014	2008	2009	2010	2011	2012	2013	2014
ground water, tributary to Sylvan and Unnamed Creeks	Well #1:1932, Well #2:1945, ASR 2, ASR 3, ASR 4, ASR 5, Dernbach (ASR 6), ASR 7	N/A	GR-343, modified by T-10990	City of Beaverton	MU	3.06	n/a	0	0	0	0.32	0.28	0.61	0.02	0	0	0	9.6	8.5	18.4	0.6
Bull Run and Tualatin River		ASR LL 002		City of Beaverton and TVWD	ASR	Recovery: up to 14.4 mgd total (Limited to 1.5 or 3.0 mgd of each of 14 wells)	1.5 billion gallons	1.29	1.13	0.79	0.80	1.05	0.00	1.34	32.8	15.8	6.1	7.4	4.7	0.0	21.2
Willamette River	3/11/2014	A: S-87964 P: S-54940		City of Beaverton	MU	33.7	n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0

¹ Average daily diversion for ASR is calculated by dividing the volume recovered during the year by the number of days that recovery occurred.

² Average monthly diversion for ASR is calculated by dividing the volume recovered during the year by the number of months that recovery occurred.

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Tualatin Valley Water District (TVWD)

TVWD Average Daily and Average Monthly Diversions by Water Right, 2008-2014.

Source	Priority Date	Application and Permit	Certificate, Claim or Transfer, or Registration	Entity name on water right	Type of Beneficial Use	Authorized Rate (cfs)	Authorized Volume	Average Daily Diversion (mgd) ^{2,4}							Average Monthly Diversion (MG) ^{3,4}							
								2008	2009	2010	2011	2012	2013	2014	2008	2009	2010	2011	2012	2013	2014	
ground water, a tributary to Beaverdam Creek	1/21/1959	A: G-1351 P: G-1229	c. 86081, Application T-11612 pending	TVWD and Aloha Huber Water District	MU	0.58 ¹	116 AF	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ground water, a tributary to Beaverton Creek	5/2/1957	A: G-637 P: G-588	c. 36440, Application T-11612 pending	Aloha Huber Water District	MU	1.1	n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ground water, a tributary to Butternut Creek	2/23/1962	A: G-2242 P: G-2064	c. 36441, Application T-11612 pending	Aloha Huber Water District	MU	2.2	n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bull Run and Tualatin River		ASR LL 002		City of Beaverton and TVWD	ASR	Recovery: up to 14.4 mgd total (Limited to 1.5 or 3.0 mgd of each of 14 wells)	1.5 billion gallons	1.72	2.12	1.90	1.19	2.26	1.56	1.93	16.0	48.7	26.7	26.1	52.5	40.1	37.9	
Willamette River	6/19/1973	A: S-50693 P: S-49240		Willamette River Water Coalition	I/M & MU	202	n/a	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

¹Total diversion, in combination with the remaining irrigation right (Certificate 44119), is limited to 1.31 cfs.

²Average daily diversion for ASR is calculated by dividing the volume recovered during the year by the number of days that recovery occurred.

³Average monthly diversion for ASR is calculated by dividing the volume recovered during the year by the number of months that recovery occurred.

⁴Although the City of Sherwood has used water under the WRWC permit S-49240, TVWD has not diverted any water under this permit to date.

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BARNEY RESERVOIR

Joint Ownership
Commission

General Manager

Kevin Hanway
150 E. Main Street
Hillsboro, OR 97123
503-615-6585

Board of Commissioners

City of Hillsboro

John Godsey

City of Forest Grove

Rod Fuiten

City of Beaverton

Denny Doyle

Tualatin Valley Water District

Jim Doane

Clean Water Services

Bruce Roll

December 21, 2017

Dwight French
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

RE: Application for a Permit to Use Surface Water, in the Name of the Barney Reservoir Joint Ownership Commission

Dear Dwight:

On behalf of the Barney Reservoir Joint Ownership Commission (BRJOC), I am enclosing an Application for a Permit to Use Surface Water and a check in the amount of \$12,196.80 for the statutorily required application fee. The Application requests to use up to 8,734 acre-feet of stored water from Barney Reservoir at a rate of up to 30 cfs.

The BRJOC includes the Cities of Beaverton, Forest Grove and Hillsboro, and the Tualatin Valley Water District (TVWD), as well as Clean Water Services. The enclosed application requests a permit to use stored water for municipal purposes and, accordingly, would be used by all of the BRJOC partners except for Clean Water Services.

The enclosed permit application is not requesting to increase the volume of stored water used by the BRJOC. The application is requesting only to increase the rate at which the stored water can be used for municipal purposes. The BRJOC municipal partners currently use stored water from the reservoir under Certificate 81020, which authorizes the use of the stored water for municipal purposes at a rate up to 38.7 cfs. The reservoir outlet, however, has a capacity of 68.7 cfs and at times municipal demand requires the release of stored water at this rate. (This is especially true during periods of low flow when the municipal partners no longer have access to water under their natural flow water rights and must rely solely on the use of stored water, and when use of stored water from Hagg Lake (Scoggins Dam) is unavailable.) Clean Water Services uses stored water under Certificate 81021 at a rate of up to 30 cfs, but it uses its portion of the stored water at a different time of year than the municipal partners.

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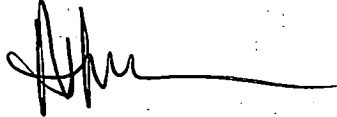
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Thank you for your assistance and I look forward to hearing from you soon.
Please contact me at 503-615-6770 or niki.iverson@hillsboro-oregon.gov, if you
have any questions.

Sincerely,



Niki Iverson
Water Resources Manager
Barney Reservoir Joint Ownership Commission


Enclosure: Application for Permit to Use Surface Water

Check totaling \$12,196.80 for the application fee

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Oregon Water Resources Department
Permit to Appropriate Only Stored Water – Expedited Secondary

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Today's Date: Wednesday, December 27, 2017

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	8734	\$11,156.80
Permit Recording Fee. ***		\$520.00
*** 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		\$12,196.80

OWRD Fee Schedule

Fee Calculator Version: B20170117