

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.

RECEIVED

JAN 31 2018

OWRD

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 the legal description of the property where water is to be diverted.
- ☒ Fees - Amount enclosed: \$ \$16,850
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
- ☐ N/A 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 (tax lot requirement – N/A)
- ☐ N/A 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:

RECEIVED

JAN 31 2018

OWRD

WR

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		PHONE	FAX
JOINT WATER COMMISSION		503-615-6770	
ADDRESS			CELL
150 E. MAIN STREET			
CITY	STATE	ZIP	E-MAIL *
HILLSBORO	OR	97123	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		PHONE	FAX
ADAM SUSSMAN, GSI WATER SOLUTIONS		541-257-9001	
ADDRESS			CELL
1600 WESTERN BLDV, SUITE 240			
CITY	STATE	ZIP	E-MAIL *
CORVALLIS	OR	97333	ASUSSMAN@GSIWS.COM

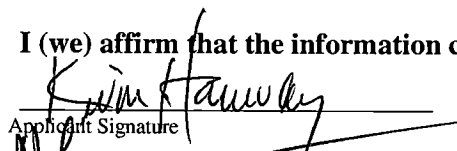
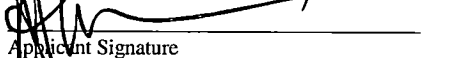
Note: Attach multiple copies as needed

* 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.)

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.

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

1/19/2018
Date
1/18/18
Date

App. No. <u>S-88506</u>	For Department Use <u>1/20/18</u>	Date
Permit No.		

SECTION 2: PROPERTY OWNERSHIP

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

☐ Yes

☐ There are no encumbrances.

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

☒ No This application is being filed by a public corporation pursuant to ORS 537.211(6). The U.S. Bureau of Reclamation owns the Spring Hill Intake and Pump Station facilities and property.

☒ I have a recorded easement or written authorization permitting access. See Attachment D.

☐ 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 – Applicant is a public corporation.

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 description of the property where water is to be diverted. Applicant is a public corporation and is filing this application pursuant to ORS 537.211(6).

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

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: Tualatin River

Tributary to: Willamette River

Source 2: _____

Tributary to: _____

Source 3: _____

Tributary to: _____

Source 4: _____

Tributary to: _____

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).

B. Applications to Use Stored Water N/A – Applicant is not requesting a permit to use stored water.

RECEIVED

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

JAN 31 2013

☐ Yes.

☐ 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.)

OWRD

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. N/A

☐ 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
Tualatin River	Municipal	October 1 – May 31	44 ☒ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

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

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 E.
- 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: _____

RECEIVED

JAN 31 2013

OWRD

WR

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

☒ Pump (give horsepower and type):

Raw Water 1: 350 HP, Floway turbine pump

Raw Water 2: 300 HP, Floway turbine pump

Raw Water 3: 350HP, Floway turbine pump

Raw Water 4: 350HP, 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 JWC Spring Hill Pumping Plant (POD) 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 and volume 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 JWC's 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 water right application requests the use of up to 44 cfs from the Tualatin River during the non-peak season (October 1 – May 31). The JWC anticipates that access to 44 cfs from the Tualatin River, in combination with its existing water supply, will be necessary to provide a reliable non-peak season water supply through 2038. The JWC requests that OWRD limit this rate, in combination with the JWC's Permit S-54737, to not exceed 75 cfs (the rate authorized by Permit S-54737). The methodology used to determine the JWC's need for this water supply is described in more detail in Section 9.

The JWC's water withdrawals are measured at two raw water meters in the raw water pipelines between the intake facility at the Spring Hill Pump Station and the JWC Water Treatment Plant. The amount of water diverted will be measured using flow meters on the two raw water transmission lines. The JWC partners have a variety of programs and measures in place to conserve water, which are described in detail in the approved 2010 JWC WMCP, as well as the 2014 TVWD WMCP, 2015 JWC WMCP Progress Report, and the 2017 Hillsboro WMCP. Public uses of the Tualatin River during the non-peak season are not anticipated to be affected by this surface water right, because this water right will be junior in priority to existing instream water rights.

RECEIVED

JAN 31 2018

OWRD

WR

SECTION 6: RESOURCE PROTECTION

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 JWC's point of diversion has a fish screen that prevents uptake of fish and other aquatic life. If needed, the JWC will work with the Oregon Department of Fish and Wildlife on any fish screening conditions.
- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Any excavation or clearing of banks will be kept to a minimum. Any necessary removal/fill permits or other state or federal authorizations will be obtained. 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: Any in-water work will be conducted in compliance with the applicable in-water work periods. 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: Water quality will be protected by preventing erosion and run-off. 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: Within 20 years from the date on which the permit is issued.

Date construction will 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

RECEIVED

JAN 31 2018

OWRD

SECTION 9: REMARKS

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

SECTION 9: REMARKS

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

The Joint Water Commission (JWC) is submitting this water right application to request a permit to use water from the Tualatin River for municipal purposes during the non-peak period of October 1 through May 31. The requested permit is intended to increase the reliability of the JWC's non-peak season water supply, but not to increase the combined maximum authorized rate of the JWC's water rights, as further described below.

The JWC projects its non-peak season water demand, excluding demands for aquifer storage and recovery (ASR), to be generally equivalent to its average day demands (ADD). (An analysis of the JWC partners' non-peak season average day demands from 2008 to 2014 shows that these demands are 80 percent to 110 percent of its annual ADDs.) The JWC's projects its ADD in 2038 will be 126 cfs. In addition, development of the JWC's ASR project (under ASR-limited license 019) and Beaverton and TVWD's ASR project (under ASR limited license 002) will require a maximum combined rate of 37.38 cfs. Thus, the JWC is anticipated to have a non-peak season demand of approximately 163 cfs by 2038. The JWC's natural flow water rights during the non-peak season authorize the use of up to 119.46 cfs. The JWC's secondary water rights for the use of stored water are excluded from this total supply because, during the majority of the non-peak season, water is being stored, and stored water is not being used. This total also excludes the JWC's Permit S-54737 for the use of water from Scoggins Creek because the requested permit is intended as a redundant source of supply for Permit S-54737, as described below. Thus, the JWC's projected non-peak season supply deficit in 2038 is estimated to be 44 cfs. (163 cfs – 119 cfs = 44 cfs.)

The JWC's Permit S-54737 allows the use of water from Scoggins Creek during the non-peak period of October 1 through May 31. Permit S-54737 is, however, not consistently reliable because it is subject to a bypass flow on Scoggins Creek, and is subordinate to the fill schedule for Scoggins Reservoir. For these reasons, the JWC is submitting this permit application to request water from the Tualatin River to increase the certainty of the JWC's supply during the non-peak season.

The JWC understands that according to OWRD's Water Availability Reporting System, water is not available in the Tualatin River in October, November and May at the 80 percent exceedance level. However, as proposed the use of 44 cfs will result in no net negative impact to water availability. As stated above, the JWC requests that the proposed 44 cfs be "tied together" with its existing permit S-54737, such that the combined rate cannot exceed 75 cfs (the rate authorized under Permit S-54737). In addition, in May, the mean daily flow in Scoggins Creek below Scoggins Reservoir/Henry Hagg Lake has exceeded 44 cfs over 80 percent of the time during the period of 2008--2017 (see Gage 14202980 for the period 1/1/2008 – 12/31/2017). Therefore, the requested permit would cause no net increase in authorized consumptive use and no net negative impact on water availability because the proposed 44 cfs will be used in combination with the JWC's existing Permit S-54737.

RECEIVED

JAN 31 2018

OWRD

RECEIVED

JAN 31 2018

OWRD

Attachment A

Land Use Information Forms

Application for a Permit to Use Surface Water – Joint Water Commission

S-88806

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.

RECEIVED

NOTE TO LOCAL GOVERNMENTS

JAN 31 2018

OWRD

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

Land Use Information Form



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

Applicant: Joint Water Commission
First Last

Mailing Address: 150 E. Main Street

Hillsboro OR 97123 Daytime Phone: 503-615-6585
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
See attached maps				101		☒ Diverted	☐ Conveyed	☐ Used	Municipal
						☐ Diverted	☒ Conveyed	☒ Used	Municipal
						☐ Diverted	☐ Conveyed	☐ Used	

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

Washington County
Cities of Hillsboro, Forest Grove, Beaverton, and Tigard.

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) Tualatin River

Estimated quantity of water needed: 44 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

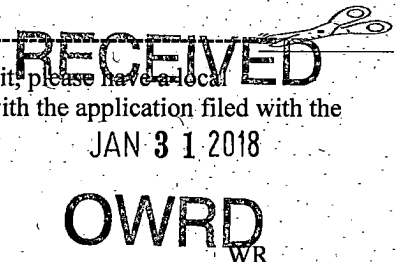
Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☒ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

The Joint Water Commission is seeking a new water right to use water from the Tualatin River for municipal purposes during the period of October 1 through May 31. Diversion of water under this new water use permit, in combination with the JWC's Permit S-54737, will not exceed the maximum authorized rate of Permit S-54737.

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

See bottom of Page 3. →



For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): CDC 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Name: Genny Bond Title: SENIOR PLANNER

Signature: [Signature] Phone: 503-846-3846 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: _____

RECEIVED

JAN 31 2018

OWRD

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.

RECEIVED

JAN 31 2018

NOTE TO LOCAL GOVERNMENTS

OWRD

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

Land Use Information Form



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

Applicant: Joint Water Commission
First Last

Mailing Address: 150 E. Main Street

Hillsboro OR 97123 Daytime Phone: 503-615-6595
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
See attached map						☐ Diverted	☒ Conveyed	☒ Used	Municipal
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Cities of Hillsboro, Forest Grove, Beaverton, and Tigard.
Washington County

B. Description of Proposed Use

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

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or 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) Tualatin River

Estimated quantity of water needed: 44 ☒ 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 Joint Water Commission is seeking a new water right to use water from the Tualatin River for municipal purposes during the period of October 1 through May 31. Diversion of water under this new water use permit, in combination with the JWC's Permit S-54737, will not exceed the maximum authorized rate of Permit S-54737.

RECEIVED
JAN 31 2018

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

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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: [Signature] Phone: (503) 992-3224 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

RECEIVED

Applicant name: _____ JAN 31 2018

City or County: _____ Staff contact: _____ **OWRD**

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

Applicant: Joint Water Commission
First Last

Mailing Address: 150 E. Main Street

Hillsboro OR 97123 Daytime Phone: 503-615-6595
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
See attached map						☐ Diverted	☒ Conveyed	☒ Used	Municipal
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Cities of Hillsboro, Forest Grove, Beaverton, and Tigard.
Washington County

B. Description of Proposed Use

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

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or 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) Tualatin River

Estimated quantity of water needed: 44 ☒ 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 Joint Water Commission is seeking a new water right to use water from the Tualatin River for municipal purposes during the period of October 1 through May 31. Diversion of water under this new water use permit, in combination with the JWC's Permit S-54737, will not exceed the maximum authorized rate of Permit S-54737.

RECEIVED

JAN 31 2018

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. →

588506

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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Name: Scott Whyte Title: Senior Planner

Signature: *Scott Whyte* Phone: (503) 526-265 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 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 services.

RECEIVED
DEC 18 2017
City of Beaverton
Planning Services

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

RECEIVED
JAN 31 2018
OWRD

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: Joint Water Commission
First Last

Mailing Address: 150 E. Main Street

Hillsboro OR 97123 Daytime Phone: 503-615-6595
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
See attached map						☐ Diverted	☒ Conveyed	☒ Used	Municipal
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Cities of Hillsboro, Forest Grove, Beaverton, and Tigard.
Washington County

B. Description of Proposed Use

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

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or 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) Tualatin River

Estimated quantity of water needed: 44 ☒ 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 Joint Water Commission is seeking a new water right to use water from the Tualatin River for municipal purposes during the period of October 1 through May 31. Diversion of water under this new water use permit, in combination with the JWC's Permit S-54737, will not exceed the maximum authorized rate of Permit S-54737.

RECEIVED

JAN 31 2018

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.

OWRD

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): City Ordinance No. 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

none

Name: Sarah A. Bruce 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

Applicant: Joint Water Commission
First Last

Mailing Address: 150 E. Main Street

Hillsboro OR 97123 Daytime Phone: 503-615-6585
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
See attached map						☐ Diverted	☒ Conveyed	☒ Used	Municipal
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Cities of Hillsboro, Forest Grove, Beaverton, and Tigard.
Washington County

B. Description of Proposed Use

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

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or 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) Tualatin River

Estimated quantity of water needed: 44 ☒ 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 Joint Water Commission is seeking a new water right to use water from the Tualatin River for municipal purposes during the period of October 1 through May 31. Diversion of water under this new water use permit, in combination with the JWC's Permit S-54737, will not exceed the maximum authorized rate of Permit S-54737.

RECEIVED

JAN 31 2018

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

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

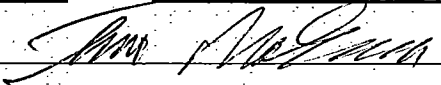
☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **Tigard Community Development Code (Title 18)**

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

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

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

Government Entity: **City of Tigard**

RECEIVED

JAN 31 2018

OWRD

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: _____

RECEIVED

JAN 31 2018

OWRD

Attachment B
Legal Description

Application for a Permit to Use Surface Water – Joint Water Commission

S-88506

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;

RECEIVED

JAN 31 2018

OWRD

1-3

S-88576

TA 23-6466

CORRECT AS TO ENGINEERING
DATA D.C. Mendenhall

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

STATE of Oregon)
 : ss
County of Washington)

On this 15th day of June, 1984, before me,
Lynn A. Shearer, notary public, personally appeared
Robert R. and Helen M. Cook, known to me to be the individuals whose
names are subscribed to the within instrument, and acknowledged to me
that they executed the same.

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



Lynn A. Shearer
Notary Public in and for the
State of Oregon
Residing at Fored Grove, Oregon
My commission expires: 11-8-87

STATE OF OREGON }
County of Washington } ss

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

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

RECEIVED

JAN 31 2018

OWRD

13⁰⁰
TA

1984 JUL 20 AM 9:23

3

5-88506

RECEIVED

JAN 31 2018

OWRD

Attachment C

Application Maps

Application for a Permit to Use Surface Water – Joint Water Commission

S-88576

Kim Grigsby

From: SAUTER Jerry K * WRD <Jerry.K.Sauter@oregon.gov>
Sent: Thursday, December 7, 2017 2:04 PM
To: Kim Grigsby
Subject: RE: Request for map scale waiver

Kim,
Your request is reasonable and granted. Thank you for keeping the Department in the loop.
Sincerely,
JK

JERRY (JK) SAUTER - WATER RIGHTS PROGRAM ANALYST
WATER RESOURCES DEPARTMENT – 725 SUMMER STREET NE, SUITE A – SALEM OREGON 97301
PH. 503-986-0817 FAX 503-986-0901
EMAIL: JERRY.K.SAUTER@OREGON.GOV WEB: HTTP://WWW.OREGON.GOV

From: Kim Grigsby [mailto:kgrigsby@gsiws.com]
Sent: Wednesday, December 06, 2017 11:10 AM
To: SAUTER Jerry K * WRD
Subject: Request for map scale waiver

Hi Jerry,

GSI is assisting the Joint Water Commission with a permit application. Because of the size of the service area of the JWC partners, we are requesting a map scale waiver for the proposed place of use map. (See attached.) The point of diversion map is also attached and is at a standard scale.

Thank you for your assistance,

Kim

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

RECEIVED
JAN 31 2018
OWRD

588576

RECEIVED

JAN 31 2018

OWRD

Attachment D

Authorization Granting Access

Application for a Permit to Use Surface Water – Joint Water Commission

P-88506

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

<u>Article No.</u>	<u>Contents</u> <u>Title</u>	<u>Page No.</u>
1	Preamble	1
2-5	Explanatory Recitals	1-2
6	Contract Term and Scope	2
7	Work to be Accomplished with Contractor's Advanced Funds; Costs Incurred by the United States	3-4
8	Advance of Funds by the Contractor for "Part A" of the Work	4-5
9	Advance of Funds by the Contractor for "Part B" of the Work	5-6
10	Records and Reports	6
11	Credit to the Contractor for Advance Project Work	6-7
12	Use, Title, Operation and Maintenance of Spring Hill Pumping Plant	7-9
13	United States Not Liable for Water Shortage or Interruptions	9
14	Quality of Water; Water and Air Pollution Control	9-10
15	Rules, Regulations, and Determinations	10-11
16	Penalty for Delinquent Payments	11
17	Contingent on Appropriation or Allotment of Funds	11
18	Title VI, Civil Rights Act of 1964	12-13
19	Assignment Limited--Successors and Assigns Obligated	13
20	Officials Not to Benefit	13-14
21	Notices	14
	Signatures	
	Acknowledgments	

RECEIVED

JAN 31 2018

OWRD

5-88576

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

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Contract No.
14-06-100-8069

Tualatin Federal Reclamation Project, Oregon

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

RECEIVED

JAN 31 2018

OWRD

Art. 2

5-88876

1 3. WHEREAS, the Contractor and the United States entered into
2 a contract on November 11, 1971, hereinafter referred to as the
3 Repayment Contract, for a water supply from the project and the
4 repayment of the associated costs; and

5 4. WHEREAS, the Contractor desires to participate with the
6 United States in the construction of a cooperative pumping plant
7 structure at the Spring Hill Pumping Plant site to be used by the
8 two parties to their mutual benefit and to be known as the Spring
9 Hill Pumping Plant; and

10 5. WHEREAS, the Contractor desires to advance funds to the
11 United States pursuant to the Act of March 4, 1921, and article 21
12 of the Repayment Contract, to accomplish the construction of the
13 Spring Hill Pumping Plant so that it can be operational in the spring
14 of 1975;

15 NOW, THEREFORE, in consideration of the mutual covenants
16 and stipulations herein contained, it is mutually agreed by and
17 between the parties hereto as follows:

18 Contract Term and Scope

19 6. This contract shall become effective upon its execution
20 by the United States and shall remain in effect until specifically
21 terminated by mutual agreement of the parties hereto. The Con-
22 tractor's obligations under this contract are in addition to its
23 obligations under the Repayment Contract.

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

RECEIVED

JAN 31 2018

OWRD

Art. 12(a)(b)

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
HLS
Feb. 26, 1974

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

RECEIVED

JAN 31 2018

OWRD

Arts. 13, 14(a)

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

Attachment
Exhibit A

/s/ Miller M. Duris
Mayor

RECEIVED

JAN 31 2018

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

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

RECEIVED
JAN 31 2013
OWRD

S-88506

RECEIVED

JAN 31 2018

OWRD

Attachment E
Forms M

Application for a Permit to Use Surface Water – Joint Water Commission

S-88506



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

Is your system fully metered? ☒ Yes ☐ No

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)

RECEIVED

JAN 31 2018

OWRD

5-8886

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):

See Section 9 Remarks in the permit application form. The application is intended to increase the reliability of the JWC's non-peak season water supply. The JWC's existing non-peak season permit, S-54737, authorizes the use of water from Scoggins Creek but is not consistently reliable. The combined maximum rate of diversion under Permit S-54737 and the present application would not exceed 75 cfs, the maximum authorized rate under Permit S-54737.

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

(e.g. until the year 2040) Until the year 2038.

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

Water is diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the JWC water treatment plant. From the water treatment plant, water is conveyed to the JWC member agencies' service areas. During the non-peak season, the most constraining component of the JWC's water system is the capacity of the water treatment plant, which will be increased over time commensurate with development of the JWC's non-peak season permits.

D. Percentage of water use by type:

Residential: <u>31.8%</u>	Commercial: <u>6.5%</u>
Public Authority: <u>2.6%</u>	Agricultural: <u>4.4% (irrigation)</u>
Unaccounted for use: <u>6.2%</u>	Industrial: <u>46.4%</u>
Other (specify use): <u>8.2% (wholesale)</u>	

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 are no costs specific to the JWC's development of the proposed permit. The need to increase the capacity of the JWC water system is anticipated to be triggered by the need to meet peak season demands. JWC member agencies have implemented numerous conservation efforts, as described in JWC WMCP and progress report, and the WMCPs of its member agencies. Although these efforts assist in maximizing the efficient use of existing sources, they do not address the need for a more reliable non-peak season water supply.

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. Conservation efforts are an important part of JWC members' water management planning. However, conservation can't fully replace the water right JWC members are seeking, which will provide a redundant water supply and improve the reliability of JWC's non-peak season water supply from the Tualatin Basin.



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)

RECEIVED

JAN 31 2018

OWRD

5-8876

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):

See Section 9 Remarks in the permit application form. The application is intended to increase the reliability of the JWC's non-peak season water supply. The JWC's existing non-peak season permit, S-54737, authorizes the use of water from Scoggins Creek but is not consistently reliable. The combined maximum rate of diversion under Permit S-54737 and the present application would not exceed 75 cfs, the maximum authorized rate under Permit S-54737.

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

(e.g. until the year 2040) Until the year 2038.

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

Water is diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the JWC water treatment plant. From the water treatment plant, water is conveyed to the JWC member agencies' service areas. During the non-peak season, the most constraining component of the JWC's water system is the capacity of the water treatment plant, which will be increased over time commensurate with development of the JWC's non-peak season permits.

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 are no costs specific to the JWC's development of the proposed permit. The need to increase the capacity of the JWC water system is anticipated to be triggered by the need to meet peak season demands. JWC member agencies have implemented numerous conservation efforts, as described in JWC WMCP and progress report, and the WMCPs of its member agencies. Although these efforts assist in maximizing the efficient use of existing sources, they do not address the need for a more reliable non-peak season water supply.

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. Conservation efforts are an important part of JWC members' water management planning. However, conservation can't fully replace the water right JWC members are seeking, which will provide a redundant water supply and improve the reliability of JWC's non-peak season water supply from the Tualatin Basin.



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:
See attached tables			

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

JAN 31 2018

OWRD

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)

*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%

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):

See Section 9 Remarks in the permit application form. The application is intended to increase the reliability of the JWC's non-peak season water supply. The JWC's existing non-peak season permit, S-54737, authorizes the use of water from Scoggins Creek but is not consistently reliable. The combined maximum rate of diversion under Permit S-54737 and the present application would not exceed 75 cfs, the maximum authorized rate under Permit S-54737.

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

(e.g. until the year 2040) Until the year 2038.

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

Water is diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the JWC water treatment plant. From the water treatment plant, water is conveyed to the JWC member agencies' service areas. During the non-peak season, the most constraining component of the JWC's water system is the capacity of the water treatment plant, which will be increased over time commensurate with development of the JWC's non-peak season permits.

D. Percentage of water use by type:

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

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 are no costs specific to the JWC's development of the proposed permit. The need to increase the capacity of the JWC water system is anticipated to be triggered by the need to meet peak season demands. JWC member agencies have implemented numerous conservation efforts, as described in JWC WMCP and progress report, and the WMCPs of its member agencies. Although these efforts assist in maximizing the efficient use of existing sources, they do not address the need for a more reliable non-peak season water supply.

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. Conservation efforts are an important part of JWC members' water management planning. However, conservation can't fully replace the water right JWC members are seeking, which will provide a redundant water supply and improve the reliability of JWC's non-peak season water supply from the Tualatin Basin.



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

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)

RECEIVED

JAN 31 2018

OWRD

5-88506

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):

See Section 9 Remarks in the permit application form. The application is intended to increase the reliability of the JWC's non-peak season water supply. The JWC's existing non-peak season permit, S-54737, authorizes the use of water from Scoggins Creek but is not consistently reliable. The combined maximum rate of diversion under Permit S-54737 and the present application would not exceed 75 cfs, the maximum authorized rate under Permit S-54737.

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

(e.g. until the year 2040) Until the year 2038.

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

Water is diverted from the Tualatin River at the Spring Hill Pumping Plant and is treated at the JWC water treatment plant. From the water treatment plant, water is conveyed to the JWC member agencies' service areas. During the non-peak season, the most constraining component of the JWC's water system is the capacity of the water treatment plant, which will be increased over time commensurate with development of the JWC's non-peak season permits.

D. Percentage of water use by type:

Residential: <u>60.8%</u>	Commercial: <u>15.7%</u>
Public Authority: <u>9.1%</u>	Agricultural: <u>N/A</u>
Unaccounted for use: <u>13.5%</u>	Industrial: <u>14.4%</u>
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 are no costs specific to the JWC's development of the proposed permit. The need to increase the capacity of the JWC water system is anticipated to be triggered by the need to meet peak season demands. JWC member agencies have implemented numerous conservation efforts, as described in JWC WMCP and progress report, and the WMCPs of its member agencies. Although these efforts assist in maximizing the efficient use of existing sources, they do not address the need for a more reliable non-peak season water supply.

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. Conservation efforts are an important part of JWC members' water management planning. However, conservation can't fully replace the water right JWC members are seeking, which will provide a redundant water supply and improve the reliability of JWC's non-peak season water supply from the Tualatin Basin.

Joint Water Commission



General Manager

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

Board of Commissioners

City of Hillsboro

John Godsey
David Judah
Deborah Raber

City of Forest Grove

Rod Fuiten
Carl Heisler
Peter Truax

City of Beaverton

Denny Doyle
Marc San Soucie
Mark Fagin

Tualatin Valley Water District

Jim Doane
Dick Schmidt
Bernice Bagnall

January 17, 2018

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 Joint Water Commission

Dear Dwight:

On behalf of the Joint Water Commission (JWC), which includes the Cities of Hillsboro, Forest Grove and Beaverton, and the Tualatin Valley Water District (TVWD), I am enclosing an Application for a Permit to Use Surface Water and a check in the amount of \$16,850 for the statutorily required application fee. The application fee was calculated as follows based on a request for 44 cfs from one point of diversion for municipal use:

Base fee.....	\$ 930
1 st cfs	\$ 350
Next 43 cfs or fraction thereof (43 x \$350).....	\$ 15,050
Permit recording fee.....	\$ 520
 Total.....	 \$16,850

The JWC is seeking a water use permit to increase the reliability of its water supply during the non-peak season (generally October 1 through May 31). It is not requesting to increase the combined maximum authorized rate for its water rights. As further described in the enclosed application, the JWC requests that the Oregon Water Resources Department limit the use of water under the requested permit, in combination with Permit S-54737, to 75 cfs. (Permit S-54737 authorizes the use of up to 75 cfs from Scoggins Creek from October 1 through May 31.)

Thank you for your assistance and I look forward to hearing from you soon. Please contact me at 503-615-6770 if you have any questions.

Sincerely,

Niki Iverson
Water Resources Manager
Joint Water Commission

RECEIVED

JAN 31 2018

OWRD

Enclosure: Application for Permit to Use Surface Water
Check totaling \$16,850 for the application fee

5-88106



Oregon Water Resources Department
Apply for a Permit to Appropriate Surface Water

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

Today's Date: Wednesday, January 31, 2018

Base Application Fee for use of Surface and optionally Stored Water.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	44	\$15,400.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$16,850.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

S-88506

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	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
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														
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														

RECEIVED
JAN 3 2018
OWRD

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

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

RECEIVED
JAN 31 2013
OWRD

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														

RECEIVED
JAN 31 2013
OWRD

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
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
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
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

¹ Total diversion, in combination with the remaining irrigation right (Certificate 44119), is limited to 1.31 cfs.
² Average daily diversion for ASR is calculated by dividing the volume recovered during the year by the number of days that recovery occurred.
³ Average monthly diversion for ASR is calculated by dividing the volume recovered during the year by the number of months that recovery occurred.
⁴ Although the City of Sherwood has used water under the WRWC permit S-49240, TVWD has not diverted any water under this permit to date.

RECEIVED
JAN 31 2018
OWRD

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.

RECEIVED
JAN 8 1 2013
OWRD