

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF MULTNOMAH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF PORTLAND,
BUREAU OF PARKS
6437 SE DIVISION ST
PORTLAND, OR 97206

confirms the right to store the waters of AN UNNAMED STREAM, a tributary of WILLAMETTE RIVER, in OAKS BOTTOM WILDLIFE REFUGE RESERVOIR, to be appropriated under Permit 51018, for WILDLIFE HABITAT.

The right to store these waters was perfected under Reservoir Permit R-11233. The date of priority is SEPTEMBER 2, 1988 FOR 420.0 ACRE-FEET AND OCTOBER 19, 1988 FOR 31.6 ACRE-FEET. The amount of water entitled to be stored each year under this right is 451.6 ACRE-FEET.

The dam is located as follows:

SW 1/4 SW 1/4, AS PROJECTED WITHIN A. LEWELLYN DLC 49, SECTION 14,
TOWNSHIP 1 SOUTH, RANGE 1 EAST, W.M.; 515 FEET NORTH AND 1450 FEET
WEST FROM THE S 1/4 CORNER OF SECTION 14.

The reservoir is located as follows:

NE 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
ALL AS PROJECTED WITHIN A. LEWELLYN DLC 49
SECTION 14
TOWNSHIP 1 SOUTH, RANGE 1 EAST, W.M.

R-69704.RA

Certificate Number 81311

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4

ALL AS PROJECTED WITHIN A. LEWELLYN DLC 49
SECTION 23
TOWNSHIP 1 SOUTH, RANGE 1 EAST, W.M.

The embankment and spillway shall be kept clear of trees, brush and other debris.

The embankment shall be kept free of burrowing animals.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provisions of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.


Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued March 21, 2005.


Phillip E. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81311.

R-69704.RA