

STATE OF OREGON  
COUNTY OF MULTNOMAH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF PORTLAND  
1120 SW 5TH AVE  
PORTLAND OR 97204

MULTNOMAH COUNTY DRAINAGE DISTRICT 1

confirms the right to store water perfected under the terms of Permit R-11486. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-72641

SOURCE: COLUMBIA SLOUGH, A TRIBUTARY OF WILLAMETTE RIVER

STORAGE FACILITY: AIRPORT WAY WETLAND MITIGATION RESERVOIRS

PURPOSE or USE: WETLAND ENHANCEMENT

MAXIMUM STORAGE VOLUME: 13.22 ACRE-FEET (AF), BEING 0.69 AF IN POND 1, 0.27 AF IN POND 2, 4.61 AF IN MIDDLE POND-UPPER, AND 7.65 AF IN LOWER POND-MAIN

DATE OF PRIORITY: AUGUST 31, 1992

DAM LOCATIONS ARE AS FOLLOWS:

Reservoir	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Pond 1	1 N	3 E	WM	19	SE NE	260 FEET NORTH AND 400 FEET EAST FROM 'L' CORNER, GB PULLEN DLC 44
Pond 2	1 N	3 E	WM	19	SE NE	130 FEET NORTH AND 30 FEET WEST FROM 'L' CORNER, GB PULLEN DLC 44
Middle Pond	1 N	3 E	WM	19	NW SE	340 FEET SOUTH AND 1120 FEET WEST FROM 'L' CORNER, GB PULLEN DLC 44
Lower Pond	1 N	3 E	WM	19	NW SE	750 FEET SOUTH AND 1240 FEET WEST FROM 'L' CORNER, GB PULLEN DLC 44

Water may be appropriated for storage only during the period from November 1 to June 30 of each year. This right shall not limit the applicant's right to use appropriated water as set forth in the order approving Transfer 6817 recorded in Volume 46, Pages 244 through 246 of the Water Resources Director.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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.

The areas submerged by these reservoirs are as follows:

Twp	Rng	Mer	Sec	Q-Q
1 N	3 E	WM	19	SW NE
1 N	3 E	WM	19	SE NE
1 N	3 E	WM	19	NW SE

The water user shall maintain a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

Measurement, recording and reporting conditions:

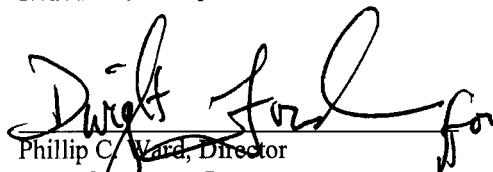
- A. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

#### CONDITIONS OF USE

1. A regulating device shall be maintained pursuant ORS 540.310.
2. 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.
3. 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.
4. 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.
5. The storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

This certificate is issued to correctly identify the water users of record and supersedes Certificate 85153, state record of water right certificates.

Issued JAN 02 2009

  
Phillip C. Ward, Director  
Water Resources Department