STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO CONSTRUCT A RESERVOIR AND TO STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

DONALD COVILLE
CITY OF PORTLAND

TIM HAYFORD

MULTNOMAH COUNTY DRAINAGE DISTRICT NO.1

1120 S.W. 5TH AVENUE PORTLAND, OREGON 97204

503-823-7566

to construct AIRPORT WAY WETLAND MITIGATION RESERVOIRS and to store the waters of COLUMBIA SLOUGH, a tributary of WILLAMETTE RIVER, for WETLAND ENHANCEMENT.

This permit is issued approving Reservoir Application R-72641. The date of priority is AUGUST 31, 1992. The amount of water entitled to be stored each year is not more than 13.29 ACRE-FEET (AF), BEING 0.72 AF IN POND 1, 0.31 AF IN POND 2, 4.61 AF IN THE MIDDLE POND, AND 7.65 AF IN THE LOWER POND.

Water may be appropriated for storage only during the period from November 1 to June 30 of each year. This permit 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.

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

The ponds will be located as follows:

SW 1/4 NE 1/4, SE 1/4 NE 1/4, NW 1/4 SE 1/4, SECTION 19, T 1 N, R 3 E, W.M.

The total area proposed to be submerged by Pond 1, when full, is 0.37 acre; the proposed maximum depth of water is 3.5 feet.

The total area proposed to be submerged by Pond 2, when full, is 0.24 acre; the proposed maximum depth of water is 2.5 feet.

The total area proposed to be submerged by the Middle Pond, when full, is 1.92 acres; the proposed maximum depth of water is 5.5 feet.

The total area proposed to be submerged by the Lower Pond, when full, is 3.28 acres; the proposed maximum depth of water is 5.5 feet.

The maximum height of any dam constructed shall not exceed 8.0 feet.

The area to be submerged by the reservoir is located within:

SW 1/4 NE 1/4 SE 1/4 NE 1/4 NW 1/4 SE 1/4 SECTION 19

TOWNSHIP 1 NORTH, RANGE 3 EAST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee 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 permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

A regulating device shall be installed pursuant to ORS 540.310.

Actual construction work shall begin on or before May 13, 1995 and shall be completed on or before October 1, 1996. Complete application of water shall be made on or before October 1, 1997.

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

The permit 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 prior rights for maintaining instream flows.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, May 13, 1994.

/s/ A.REED MARBUT

Water Resources Department Martha O. Pagel Director