

STATE OF OREGON

COUNTY OF CLACKAMAS

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

THIS PERMIT IS HEREBY ISSUED TO:

SPRINGWATER GOLF COURSE  
PATRICK O'MEARA  
25230 SOUTH WALLENS ROAD  
ESTACADA, OREGON, OREGON 97023

503-630-4586

to construct RESERVOIRS 2 AND 3 and to store the waters of AN UNNAMED STREAM, a tributary of CLEAR CREEK, to be appropriated under Application 73358, Permit 51548, for IRRIGATION AND RECREATION.

This permit is issued approving Reservoir Application R-73359. The date of priority is APRIL 27, 1993. The amount of water entitled to be stored each year is not more than 3.46 ACRE-FEET (AF), BEING NOT MORE THAN 3.40 AF IN RESERVOIR 2, and 0.06 AF IN RESERVOIR 3. Water may be appropriated for storage during the period November 1 through May 31.

The dams will be located as follows:

SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 5, T 4 S, R 4 E, W.M.;  
RESERVOIR 2 - 1180 FEET SOUTH AND 530 FEET WEST, RESERVOIR 3 - 920 FEET SOUTH AND 1380 FEET WEST, BOTH FROM THE NW CORNER OF DLC 39.

The total area proposed to be submerged by Reservoir 2, when full is 0.38 acres; the proposed maximum depth of water in feet is 12.0; the maximum height of the dam is 7.0 feet. The total area proposed to be submerged by Reservoir 3, when full is 0.03 acres; the proposed maximum depth of water in feet is 4.0; the maximum height of the dam is 2.0 feet.

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

SW 1/4 SW 1/4  
SE 1/4 SW 1/4  
SECTION 5  
TOWNSHIP 4 SOUTH, RANGE 4 EAST, W.M.

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

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. 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.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

The permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

Actual construction work shall begin on or before October 24, 1995 and shall be completed on or before October 1, 1996. The reservoir shall be filled and complete application of the stored water to the use 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 October 24, 1994.

**A. REED MARBUT**

Water Resources Department  
Martha O. Pagel  
Director