

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:

EUGENE G. AND ARLENE D. FISCHER  
20990 SOUTH FISCHER MILL ROAD  
OREGON CITY, OREGON 97045

503-631-3411

to construct AN UNNAMED RESERVOIR and to store the waters of TWO UNNAMED SPRING STREAMS, tributaries of CLEAR CREEK, to be maintained under Application 73061, Permit 51609, for FISH AND WILDLIFE USE.

This permit is issued approving Reservoir Application R-73060. The date of priority is DECEMBER 8, 1992. The amount of water entitled to be stored each year is not more than 1.5 ACRE-FEET. Water may be appropriated for storage during the period November 1 through May 31.

The dam will be located as follows:

SE 1/4 NE 1/4, SECTION 4, T 3 S, R 3 E, W.M.

The total area proposed to be submerged by the reservoir, when full, is 0.5 acre; the proposed maximum depth of water is 10.0 feet. Pursuant to dam safety requirements, the applicant verifies that all water is to be stored in a sump.

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

SE 1/4 NE 1/4  
SECTION 4  
TOWNSHIP 3 SOUTH, RANGE 3 EAST, W.M.

When determined necessary by the department the water user shall install and maintain an outlet pipe with a minimum diameter of 8 inches and an approved controlling device or shall provide other means to by-pass direct flows or to evacuate the stored water.

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Actual construction work shall begin on or before April 24, 1996 and shall be completed on or before October 1, 1997. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1998.

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 finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, April 24, 1995.

/s/ MARTHA O. PAGEL

Water Resources Department  
Martha O. Pagel  
Director