

STATE OF OREGON

COUNTY OF Multnomah

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LES AND PAT BROWN
2703 SE HOGAN RD
GRESHAM, OREGON 97080

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-72579

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF JOHNSON CREEK within the WILLAMETTE BASIN

STORAGE FACILITY: CEDAR LAKE RESERVOIR

STORAGE VOLUME: 5.45 ACRE-FEET PER YEAR

PURPOSE OR USE OF THE STORED WATER: RECREATION USE

Period of allowed use: Water may be appropriated for storage during the period DECEMBER 1 TO JUNE 1 EACH YEAR

DATE OF PRIORITY: July 27, 1992

The total area proposed to be submerged by the reservoir, when full, is 1.75 acres; the proposed maximum depth of water is 14.0 feet. The maximum height of the dam shall not exceed 10.0 feet.

DAM LOCATION: SE 1/4 SE 1/4, SECTION 15, T1S, R3W, W.M.

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:
SE 1/4 SE 1/4, SECTION 15, TOWNSHIP 1 SOUTH, RANGE 3 EAST, W.M.

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.

An operation and maintenance schedule shall be submitted to the Water Resources Department. The schedule should include a list of anticipated routine maintenance items, i.e. rodent control, mowing, brush and tree removal, gate valve cycling, fence repair, etc. and a brief outline stating when or how often these activities will be performed, and who will be responsible for their timely completion, i.e., permit holder, homeowner's association, etc.

An Emergency Action Plan (EAP) that specifically identifies which individuals/phone numbers to call in the event of a major emergency. A major emergency is defined as any condition of an impending or sudden release of water caused by sudden failure of the dam due to accident, force of nature, or other unexpected event. The EAP should also illustrate which areas downstream would be directly impacted by flowing/flood waters. Agencies listed should include, among others:

- Oregon State Police
- Multnomah County Sheriff
- Gresham City Police
- Oregon Emergency Management Division
- Oregon Water Resources Dam Safety

The outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated August 25, 1992 on file with the Water Resources Department.

No water shall be stored until this department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this department.

The structure shall be constructed under the supervision of a registered engineer licensed in Oregon.

No fill shall be placed until excavation of the cutoff trench has been completed in its entirety and approved by the engineer.

A new topographical map and area-capacity curve, prepared by an engineer, must be submitted to this department if earth material is removed from the storage area during construction.

STANDARD CONDITIONS

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

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.

This 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.

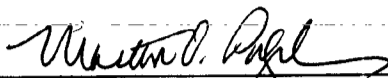
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use 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.

Actual construction work shall begin within one year from permit issuance 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.

Issued October 17, 1995


Water Resources Department
Martha O. Pagel
Director