

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF GRESHAM
C/O DAVID J. NEWTON ASSOCIATES
1201 SW 12TH AVENUE, SUITE 400
PORTLAND, OREGON 97205

(503)228-7718

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

APPLICATION FILE NUMBER: R-81059

SOURCE OF WATER: KELLY CREEK, A TRIBUTARY OF BEAVER CREEK, WITHIN THE WILLAMETTE BASIN

STORAGE FACILITY: KELLY CREEK REGIONAL STORMWATER DETENTION FACILITY

PURPOSE OR USE OF THE STORED WATER: STORM WATER MANAGEMENT, POLLUTION ABATEMENT, WETLAND ENHANCEMENT, RECREATION AND WILDLIFE

VOLUME: 2.8 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD DECEMBER 1 THROUGH THE END OF FEBRUARY AND APRIL 1 THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: APRIL 9, 1996

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 20.0 FEET.

DAM LOCATION: ALL OF NE 1/4, SECTION 13, TOWNSHIP 1 SOUTH, RANGE 3 EAST, W.M.

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4

NW 1/4 NE 1/4

SW 1/4 NE 1/4

SE 1/4 NE 1/4

SECTION 13

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

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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.

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.

STANDARD CONDITIONS

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.

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, 1998. The reservoir shall be filled and complete application of the stored water to the Issued September , 1996

Issued 9/25, 1996


Martha O. Pagel, Director
Water Resources Department

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Basin 02 Volume basin 3
LJJ-009

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District 01