

STATE OF OREGON
COUNTY OF CLACKAMAS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LARRY A POTTER JR
17880 S GLISAN
OREGON CITY, OREGON 97045

(503)631-7441

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: R-73942

SOURCE OF WATER: ABERNETHY CREEK, A TRIBUTARY OF WILLAMETTE RIVER

STORAGE FACILITY: #1 EARTHEN RESERVOIR

PURPOSE OR USE OF THE STORED WATER: WETLANDS ENHANCEMENT AND WILDLIFE HABITAT

MAXIMUM STORAGE VOLUME: 0.18 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: MARCH 4, 1994

The total area proposed to be submerged by the reservoir, when full is 0.02 acre; the proposed maximum depth of water in feet is 4.0; the maximum height of the dam is 2.0 feet.

DAM LOCATION: NE 1/4 NE 1/4, SECTION 1, T3S, R2E, W.M.

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

NE 1/4 NE 1/4
SECTION 1
TOWNSHIP 3 SOUTH, RANGE 2 EAST, W.M.

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

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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 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.

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.

STANDARD CONDITIONS

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.

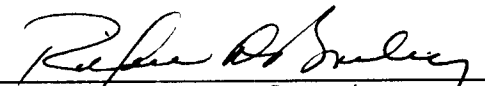
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2001.

Issued June 18, 1997


Martha O. Pagel, Director
Water Resources Department

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Basin 02 VOLUME 18B ABERNETHY CREEK
DLB MGMT.CODE

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DISTRICT 16