

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ALAN M. JESSE AND JAMES R. FURBY
3885 SW HILLSBORO HWY
HILLSBORO, OREGON 97123

PHONE: (503) 357-6762

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

APPLICATION FILE NUMBER: R-83362

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF TUALATIN RIVER

STORAGE FACILITY: DON JESSE RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT
53411 FOR IRRIGATION

MAXIMUM VOLUME: 167.1 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE NOVEMBER 1
THROUGH MAY 31

DATE OF PRIORITY: APRIL 14, 1997

The area submerged by the reservoir, when full, will be 16.9 acres and
the maximum depth of water will be 25.0 feet. The maximum height of the
dam shall not exceed 32.0 feet.

DAM LOCATION: SW 1/4 NE 1/4, SECTION 16, T1S, R3W, W.M.; 1100 FEET NORTH
AND 1960 FEET WEST FROM THE E 1/4 CORNER SECTION 16

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

SW 1/4 NE 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4

SECTION 16

TOWNSHIP 1 SOUTH, RANGE 3 WEST, 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may

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require the permittee to report general water use information, including the place and nature of use of water under the permit.

- 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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area.

The use may be restricted if the quality of the source stream or downstream water decrease to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

The outlet gate shall be cycled at least once each year and shall be fully operational at all times.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

The earthen dam, spillway and resultant reservoir shall be constructed and maintained according to the approved plans and specifications on file with Oregon Water Resources Dam Safety program. Any changes in the approved design prior to construction shall be documented in a letter to Dam Safety.

All construction shall be performed under the supervision of a professional engineer licensed in Oregon. No fill shall be placed until excavation of the foundation has been completed and examined in its entirety by the engineer of record, or by the Water Resources Dam Safety Engineer, or both.

No water shall be stored until the Water Resources Department received written certification from the engineer of record that construction has been completed in accordance with the approved plans and specifications. If construction deviates from the approved design, a set of asbuilt drawings must accompany the engineer's written certification of completion.

The completed structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director or the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any modification to the dam, spillway or appurtenant structures.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated May 13, 1997, on file with the Water Resources Department.

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.

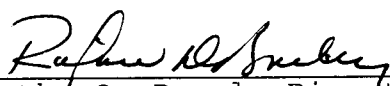
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 of the well shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2002.

Issued June 29, 1998



Martha O. Pagel, Director
Water Resources Department

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District 18