

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT, (ALONZO WERTZ)
710 NE HOLLADAY (503)239-2110
PORTLAND, OREGON 97232

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

APPLICATION FILE NUMBER: R-80616

SOURCE OF WATER: JOHNSON CREEK, A TRIBUTARY OF CEDAR MILL CREEK

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: WETLAND AND WILDLIFE HABITAT

MAXIMUM STORAGE VOLUME: 2.4 ACRE-FEET EACH YEAR

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

DATE OF PRIORITY: AUGUST 29, 1995

THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 8.0 FEET.

DAM LOCATION: NE 1/4 NW 1/4, SECTION 3, T1S, R1W, W.M.; 250 FEET SOUTH
& 90 FEET WEST FROM N 1/4 CORNER, SECTION 3

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:
NE 1/4 NW 1/4
SECTION 3
TOWNSHIP 1 SOUTH, RANGE 1 WEST, 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 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.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

The total area to be submerged by the reservoir, when full shall be 10.55 acre; the maximum depth of water shall be 4.0 feet.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

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 by November 4, 1999. The reservoir(s) shall be filled and complete application of water shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued November 4th, 1998

Dwight F. ... for
 Martha O. Pagel, Director
 Water Resources Department

Application R-80616 Water Resources Department
 Basin 2 VOLUME 21 CEDAR MILL CREEK MISC
 RWK

PERMIT R-12561
 DISTRICT 18