

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN AND JOSH ENYART
20803 NW REEDER RD
PORTLAND, OR 97231

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

APPLICATION FILE NUMBER: R-85969

SOURCE OF WATER: MCCARTHY CREEK, A TRIBUTARY OF MULTNOMAH CHANNEL

STORAGE FACILITY: ENYART BOTTOMS

PURPOSE OR USE OF THE STORED WATER: MULTIPLE PURPOSE

MAXIMUM VOLUME: 163.0 ACRE FEET EACH YEAR

PERIOD OF USE: NOVEMBER 1 THROUGH JUNE 30

DATE OF PRIORITY: MARCH 29, 2004

The maximum height of the dam shall not exceed 14.0 FEET.

DAM LOCATION: SE ¼ NE ¼, SECTION 18, T2N, R1W, W.M.; 2180 FEET SOUTH & 550 FEET WEST FROM NE CORNER, SECTION 18

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



NW ¼ SW ¼
SECTION 17

NE ¼ NE ¼

NW ¼ NE ¼

SW ¼ NE ¼

SE ¼ NE ¼

NE ¼ NW ¼

NE ¼ SE ¼

NW ¼ SE ¼

SECTION 18

TOWNSHIP 2 NORTH, RANGE 1 WEST, W.M.

Measurement Devices and Recording/Reporting of Annual Water Storage Conditions:

- A. Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water stored each month, and shall submit a report which includes water-storage measurements to the Department annually (or more frequently as may be required by the Director). Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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.

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 in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

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

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.

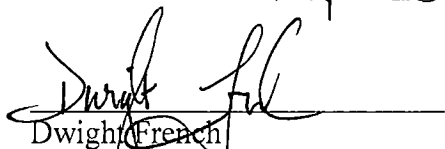
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.

The permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after storage of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued **MAY 25**, 2018



Dwight French
Water Right Services Division Administrator
Thomas M. Byler, Director
Water Resources Department

