

STATE OF OREGON

COUNTY OF MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MULTNOMAH COUNTY DRAINAGE DISTRICT 1
1880 NE ELROD DR.
PORTLAND, OREGON 97211

PHONE: (503) 281-5675

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

APPLICATION FILE NUMBER: S-71436

SOURCE OF WATER: FAIRVIEW CREEK, TRIBUTARY OF COLUMBIA SLOUGH

PURPOSE OR USE: TO MAINTAIN FAIRVIEW RESERVOIR, TO BE CONSTRUCTED UNDER APPLICATION R-71435, PERMIT R-12301, FOR WILDLIFE HABITAT, RECREATION AND AESTHETICS

MAXIMUM RATE/VOLUME ALLOWED: 1.24 CUBIC FEET PER SECOND (CFS)

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 26, 1991, FOR 0.5 CFS AND APRIL 12, 1991, FOR 0.74 CFS

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 21, T1N, R3E, W.M.; 150 FEET NORTH AND 1815 FEET WEST FROM THE SE CORNER OF SECTION 21

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4
NE 1/4 SE 1/4
SECTION 20
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 21
SW 1/4 SW 1/4

SECTION 22

TOWNSHIP 1 NORTH, RANGE 3 EAST, 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.

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- 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.
- C. 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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 to the satisfaction of the Oregon Department of Fish & Wildlife.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

Complete application of the water to the use shall be made on or before October 1, 2001.

Issued October 16, 1997



Martha O. Pagel, Director
Water Resources Department

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District 01