

9/30

Oregon Department of Fish and Wildlife
Transfer Comment Form

JUN 26 2002

Reference: Transfer # 9130

We have reviewed the application for transfer and provide the following comments:

Please check one of the boxes related to potential injury to water rights.

☐ There does not appear to be a potential for injury to instream or other water rights as a result of the transfer.

☒ We believe that the transfer would injure the instream or other water right(s) on Little Butte Creek, tributary to Rogue River. The nature of the injury is as follows: This transfer will result in additional dewatering of approximately 2 miles of Little Butte Creek. Instream water rights on Little Butte Creek (Certificates 59818 and 59820) are regularly not being met during the irrigation season and this transfer will exacerbate low streamflow conditions over a greater length of the stream. This reduction in streamflow over a greater length of stream will further limit available habitat to resident and anadromous salmonids and will also exacerbate existing water temperature problems in Little Butte Creek.

(Please attach any available supporting information.)

Please check one of the boxes related to requiring a fish screen or by-pass device.

☒ Pursuant to ORS 540.525 or 540.532, a condition should be included in any order approving the transfer to require the installation of a fish screen or by-pass device to prevent fish from leaving (source) and entering the diversion. The existing point of diversion is:

- ☐ Equipped with an appropriate fish screening or by-pass device; or
☐ Included on the priority list of screening projects established pursuant to section 8, chapter 933, Oregon Laws 1989.

The applicant should contact the following person to obtain additional information on the plans and specifications for the required fish screen or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices:

ODFW staff name: Rich Kilbane
Address: 1495 E. Gregory Road
City/State/Zip: Central Point, OR 97502
Phone: 541-826-8774

☐ A fish screen or by-pass device should not be required as a condition of approval of the transfer.


Signature

Gerald F. Vogt, Jr.

Printed Name

Assistant District Fish Biologist

Title

Please return this form to *Teresa Vonn, Water Resources Department, 942 SW 6th Street, Suite E, Grants Pass, OR 97526* by **June 29, 2002**