



IWR Application # 70828 Certificate # \_\_\_\_\_

STATE OF OREGON

WATER RESOURCES DEPARTMENT

Application for Instream Water Right  
by a State Agency

RECEIVED

OCT 26 1990

WATER RESOURCES DEPT.  
SALEM, OREGON

There is no fee required for this application.

Applicant: Randy Fisher for Oregon Department of Fish and  
Wildlife, PO Box 59, Portland, OR 97207

1. The name of the stream of the proposed instream water right is Williamson River, a tributary of Upper Klamath Lake.
2. The public uses this instream water right is based upon include providing required stream flows for Klamath largescale sucker and rainbow trout for migration, spawning, egg incubation, fry emergence, and juvenile and adult rearing.
3. The amount of water (in cubic feet per second) needed by month for each category of public use is as follows:

USE(S): Migration, spawning, egg incubation, fry emergence, and juvenile and adult rearing.

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20	30	40	40	40	30	20	20	15	15	15	15

4. The reach of the stream identified for an instream water right is from (upstream end) Rocky Ford, river mile 69.5, within the SW quarter of the SW quarter of Section 7, Township 31S, Range 11E W.M., in Klamath County...

Downstream to USGS gage #11493500, river mile 27, within the NW quarter of the SW quarter of Section 1, Township 33S, Range 7E W.M., in Klamath County.

5. The method used to determine the requested amounts was the Oregon Method.
6. When were the following state agencies notified of the intent to file for the instream water right?

Dept. of Environmental Quality	Date: October 4, 1990
ODFW (Fish, Wldlf, and Habitat)	Date: October 4, 1990
Parks and Recreation Division	Date: October 4, 1990

IWR Application # 70828 Certificate # \_\_\_\_\_

7. If possible, include recommendations for measuring locations or methods:

Use USGS gage #11493500.

8. If possible, include recommendations for assisting the Water Resources Department (WRD) in measuring and monitoring procedures:

Local ODFW personnel will assist the watermaster in establishing and implementing a monitoring program.

9. If possible, include other recommendations for methods or conditions necessary for managing the water right to protect the public uses [see OAR 690-77-020 (5)(c)]: None.

10. Remarks: The requested flows are the minimum required to maintain fish populations at their current levels. No provision is made at these flows for population restoration or enhancement.

**THIS APPLICATION MUST BE ACCOMPANIED BY A BASIN MAP WITH THE APPLICABLE LAKE OR STREAM REACH IDENTIFIED.**

An instream water right may be allowed for an instream beneficial use of water subject to existing water rights with an effective date prior to the filing date of this application.

This type of beneficial use is for the benefit of the public and a certificate issued confirming an instream water right shall be held in trust by the Water Resources Department for the people of the State of Oregon, pursuant to ORS 537.341.

Date: 10/23/96

Signed: Nancy M. MacHugh

Oregon Department of Fish and Wildlife

Assistant Director  
Habitat Conservation Div.

File: WILLIAM5.APP

IWR Application # 70828 Certificate # \_\_\_\_\_

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return them for:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In order to retain its priority, this application must be returned to the Water Resources Department with corrections on or before

\_\_\_\_\_, 19\_\_\_\_.

Date: \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_

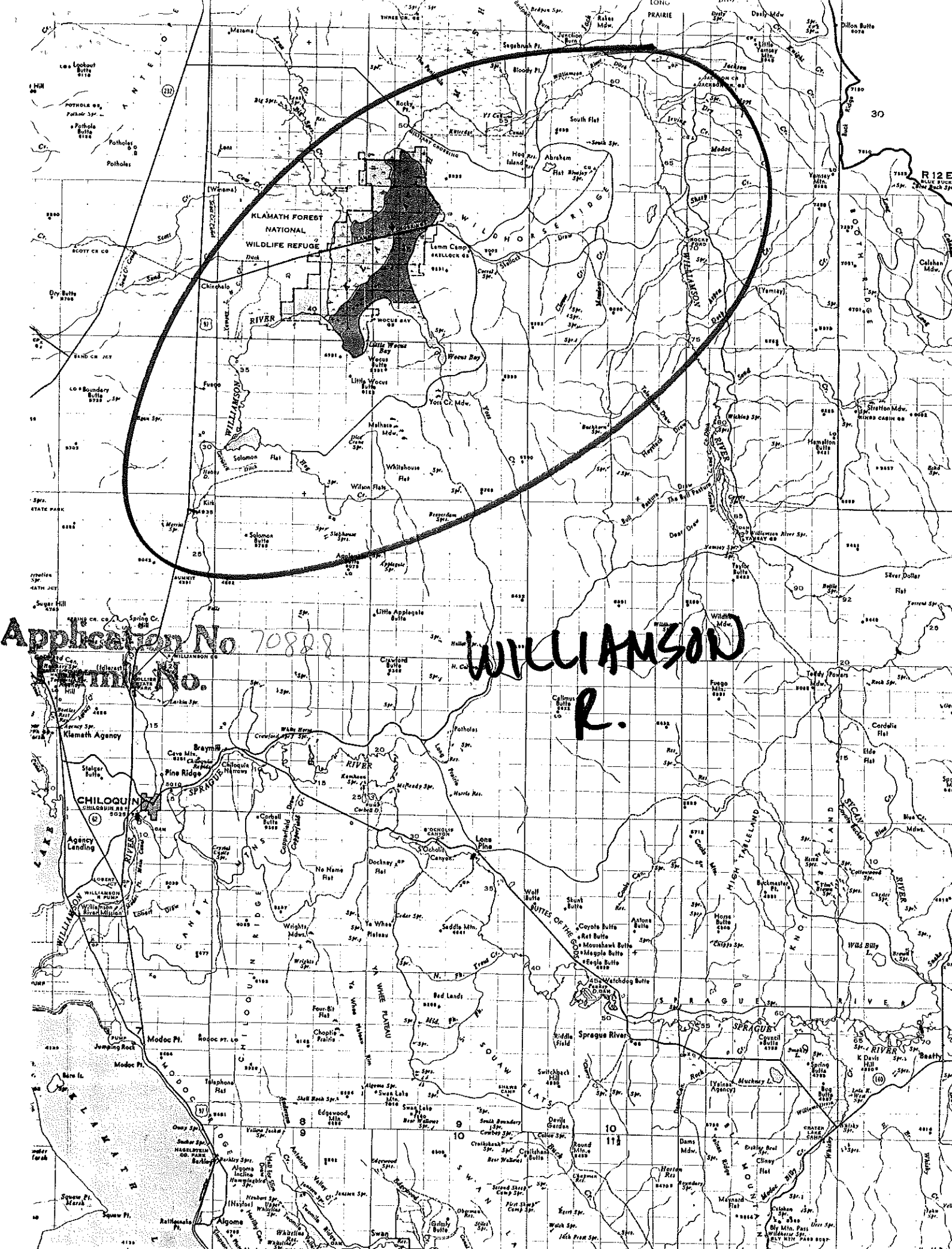
\_\_\_\_\_

This document was first received at the Water Resources Department in Salem, Oregon, on the 26<sup>th</sup> day of October, 1990, at 8 o'clock A. M.

Water Resources Department  
3850 Portland Rd. NE  
Salem, OR 97310

Application No 70828  
Farm No

WILLIAMSON  
R.



Oregon Water Resources Department  
Water Rights Division

Instream Water Right Application  
Number IS70828

Final Order

*Application History*

On 10/26/90, the Department of Fish and Wildlife submitted an application to the Department for an instream water right. The Department issued a Proposed Final Order on AUGUST 27, 1996. The protest period closed October 11, 1996, and no protest was filed.

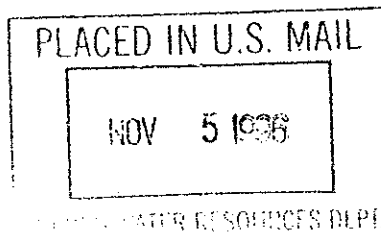
The proposed use would not impair or be detrimental to the public interest.

Order

IT IS HEREBY ORDERED that Application IS70828 be approved as proposed by the Proposed Final Order, as provided in the attached certificate.

DATED October 21, 1996

  
Martha O. Pagel



*Appeal Rights*

Under the provisions of ORS 183.484, the applicant or any person having standing may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.

STATE OF OREGON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Oregon Water Resources Department  
158 12th Street NE  
Salem, Oregon 97310

The specific limits for the use are listed below along with conditions of use.

Source: WILLIAMSON R tributary to UPPER KLAMATH L

County: Klamath

Purpose: Migration, spawning, egg incubation, fry emergence, and juvenile rearing.

To be maintained in:

WILLIAMSON RIVER FROM ROCKY FORD AT RIVER MILE 69.5 (SWSW, SECTION 7, TOWNSHIP 31S, RANGE 11E WM); TO USGS GAGE 11493500 AT RIVER MILE 27.0 (NWSW, SECTION 1, TOWNSHIP 33S, RANGE 7E WM)

The right is established under Oregon Revised Statutes 537.341.

The date of priority is 10/26/90.


The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	30.0	40.0	40.0	40.0	30.0	20.0	20.0	15.0	15.0	15.0	15.0

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.
5. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.

Witness the signature of the Water Resources Director,  
affixed OCTOBER 21, 1996.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificate number 73391.

IS 70828

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # IS 70828

WATERMASTER # DEL SPARKS

REGIONAL MANAGER: BOB MAIN

ODF&W - County: Klamath

DEO

PARKS

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;  
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUTLDER UPDATER:

WATER FOR LIFE (TODD HEIDGERKEN)

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

CASEWORKER : CINDY SMITH



**Oregon Water Resources Department  
Water Rights/Adjudication Section**

Water Right Application Number: IS 70828

**Proposed Final Order**

**Summary of Recommendation:** The Department recommends that the attached draft certificate be issued with conditions.

**Application History**

On 10/26/90, the Oregon Department of Fish and Wildlife submitted an application to the Department for the following instream water right certificate.

Source: WILLIAMSON R tributary to UPPER KLAMATH L

County: Klamath

Purpose: Migration, spawning, egg incubation, fry emergence, and juvenile rearing.

The amount of water (in cubic feet per second) requested by month:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	30.0	40.0	40.0	40.0	30.0	20.0	20.0	15.0	15.0	15.0	15.0

To be maintained in:

WILLIAMSON RIVER FROM ROCKY FORD AT RIVER MILE 69.5 (SWSW, SECTION 7, TOWNSHIP 31S, RANGE 11E WM); TO USGS GAGE 11493500 AT RIVER MILE 27.0 (NWSW, SECTION 1, TOWNSHIP 33S, RANGE 7E WM)

The Department mailed the applicant notice of its Initial Review on January 23, 1996. Public notice of the application was provide in the Department's weekly public notice on February 6, 1996. Comments were received for 30 days.

The following supporting data was submitted by the applicant:

- (a) Fish and Wildlife Resources of the Klamath Basin, Oregon, and Their Water Requirements; April, 1970.
- (b) Determining Minimum Flow Requirements for Fish, ODFW Report January 20, 1984.
- (c) Developing and Application of Spawning Velocity and Depth Criteria for Oregon Salmonids, Alan K. Smith, Transactions of the American Fisheries Society, April 1973.
- (d) Determining Stream Flows for Fish Life, Oregon State Game Commission Report, March 1972.

- (e) A letter dated April 5, 1996, stating that the flows requested in this application are the minimum amount necessary to restore, protect and enhance populations and habitats of native wildlife species at self-sustaining levels

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the proposed rate of use
- pending senior applications and existing water rights of record
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any comments received

An assessment with respect to conditions previously imposed on other instream water rights granted for the same source has been completed.

An evaluation of the information received from the local government(s) regarding the compatibility of the proposed instream water use with land use plans and regulations has been completed.

The level of instream flow requested is based on the methods of determining instream flow needs that have been approved by administrative rule of the agency submitting this application.

### Findings of Fact

The basin Basin Program allows the proposed use.

Senior water rights exist on this source or on downstream waters.

The source of water is within or above a State Scenic Waterway.

The source of water is not withdrawn from appropriation by order of the State Engineer or legislatively withdrawn by ORS 538.

The estimated average natural flow for the lower end of the requested reach is as follows (in cubic feet per second):

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
210.0	319.0	447.0	480.0	313.0	198.0	85.0	41.8	39.0	25.6	112.0	226.0

### Conclusions of Law

Under the provisions of ORS 537.153, the Department must

presume that a proposed use will not impair or be detrimental to the public interest if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complied with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the basin Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

The proposed use will not injure other water rights.

The proposed use complies with rules of the Water Resources Commission.

The proposed use complies with the State Agency Agreement for land use.

The proposed instream flows do not fully appropriate this source of water year round. Water is available for additional storage.

Water is not available for the proposed use at the amount requested year round because the unappropriated water available is less than the amounts requested during some months.

For these reasons, the presumption set forth in ORS 537.153, as discussed above, has not been established. The application therefore has been processed without the statutory presumption.

"When instream water rights are set at levels which exceed current unappropriated water available the water right not only protects remaining supplies from future appropriation but establishes a management objective for achieving the amounts of instream flows necessary to support the identified public uses." OAR 690-77-015(2).

"The amount of appropriation for out-of-stream purposes shall not be a factor in determining the amount of an instream water right." "The amount allowed during any time period for the water right shall not exceed the estimated average natural flow ..." (excerpted from OAR 690-77-015 (3) and (4)).

Because the proposed use exceeds the available water, it can not be presumed to be in the public interest. However, under the direction of OAR 690-77-015 (2) (3) and (4), the proposed use is in the public interest up to the limits of the estimated average natural flow.

Oregon law allows certain uses of water to take precedence over other uses in certain circumstances. When proposed uses of water are insufficient for all who desire to use them, preference shall be given to human consumption purposes over all other uses and for livestock consumption over any other use (excerpted from ORS 536.310 (12)).

The Department therefore concludes that

- the proposed use, as limited in the draft certificate, will not result in injury to other water rights,
- the proposed use, as limited in the draft certificate, will not impair or be detrimental to the public interest as provided in ORS 537.170.
- the proposed use, as limited in the draft certificate, will include the following conditions: for purposes of water distribution, this instream right shall not have priority over human or livestock consumption.

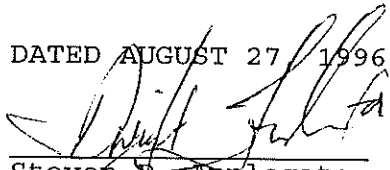
- the flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.
- the stream flows listed below represent the minimum flows necessary to support the public use.

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	30.0	40.0	40.0	40.0	30.0	20.0	20.0	15.0	15.0	15.0	15.0

### Recommendation

The Department recommends that the attached draft certificate be issued with conditions.

DATED AUGUST 27, 1996

  
 Steven P. Applegate  
 Administrator  
 Water Rights and Adjudications Division

### Protest Rights

Under the provisions of ORS 537.153(6) or 537.621(7), you have the right to submit a protest against this proposed final order. Your protest *must* be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050.
- Proof of service of the protest upon the applicant.

Your protest must be received in the Water Resources Department no later than October 11, 1996.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled *only* if a protest has been submitted and if

- upon review of the issues the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

DRAFT  
STATE OF OREGON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Oregon Water Resources Department  
158 12th Street NE  
Salem, Oregon 97310

The specific limits for the use are listed below along with conditions of use.

Source: WILLIAMSON R tributary to UPPER KLAMATH L

County: Klamath

Purpose: Migration, spawning, egg incubation, fry emergence, and juvenile rearing.

To be maintained in:

WILLIAMSON RIVER FROM ROCKY FORD AT RIVER MILE 69.5  
(SWSW, SECTION 7, TOWNSHIP 31S, RANGE 11E WM); TO USGS  
GAGE 11493500 AT RIVER MILE 27.0 (NWSW, SECTION 1,  
TOWNSHIP 33S, RANGE 7E WM)

The right is established under Oregon Revised Statutes 537.341.

The date of priority is 10/26/90.

The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	30.0	40.0	40.0	40.0	30.0	20.0	20.0	15.0	15.0	15.0	15.0

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.
5. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.

Witness the signature of the Water Resources Director affixed this \_\_\_ day of \_\_\_\_\_, 19\_\_.

Water Resources Director

Recorded in State Record of Water Right Certificate number \_\_\_\_\_.

IS 70828

January 23, 1996

Director  
Oregon Department of Fish and Wildlife  
2501 SW First Ave  
PO Box 59  
Portland OR 97207

Reference: Instream water rights in the Klamath Basin,  
Files 70798, 70801 - 70807, 70810 - 70812, 70816,  
70818, 70821 - 70829

Dear Oregon Department of Fish and Wildlife:

This document, called an "Initial Review", is to inform you of the potential limitations to your proposed instream water right and to describe some of your options. Based on the information you have supplied, the Water Resources Department has made several determinations:

The referenced applications are complete and not defective.

The proposed use is not prohibited by law;

The instream use is allowed under ORS 542.620, the Klamath River Basin Compact;

1. Application 70798

Priority date: 10/26/90

CHERRY CR tributary to FOURMILE CR

CHERRY CREEK FROM THE HEADWATERS AT RIVER MILE 0.0  
(TOWNSHIP 34S, RANGE 5E WM); TO THE MOUTH AT RIVER  
MILE 0.0 (NWSW, SECTION 13, TOWNSHIP 34S, RANGE 6E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
10.0	10.0	15.0	15.0	15.0	10.0	5.0	3.0	3.0	15.0	10.0	10.0



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
27.9	34.2	28.9	33.4	49.5	28.2	12.5	10.0	9.3	10.1	13.9	21.9

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
10.0	10.0	15.0	15.0	15.0	10.0	5.0	3.0	3.0	10.1	10.0	10.0

**2. Application 70801**

**Priority date: 10/26/90**

S FK SPRAGUE R tributary to SPRAGUE R

SOUTH FORK SPRAGUE RIVER FROM WHITWORTH CREEK AT RIVER MILE 21.6 (NWSW, SECTION 10, TOWNSHIP 37S, RANGE 16E WM); TO ISH TISH CREEK AT RIVER MILE 12.2 (NESW, SECTION 9, TOWNSHIP 37S, RANGE 15E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
45.0	45.0	45.0	45.0	45.0	30.0	15.0	15.0	15.0	15.0	45.0	45.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
36.0	47.5	67.8	103.0	125.0	69.8	33.4	23.9	26.7	31.0	32.3	34.7

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
36.0	45.05	45.0	45.0	45.0	30.0	15.0	15.0	15.0	15.0	32.3	34.7

**3. Application 70802**

**Priority date: 10/26/90**

S FK SPRAGUE R tributary to SPRAGUE R

SOUTH FORK SPRAGUE RIVER FROM ISH TISH CREEK AT RIVER MILE 12.2 (NESW, SECTION 9, TOWNSHIP 37S, RANGE 15E WM); TO THE MOUTH AT RIVER MILE 0.0 (SWNE, SECTION 24, TOWNSHIP 36S, RANGE 13E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
50.0	50.0	50.0	50.0	50.0	40.0	20.0	15.0	15.0	50.0	50.0	50.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
103.0	136.0	194.0	296.0	357.0	200.0	95.5	68.3	76.3	88.6	92.3	99.3

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
50.0	50.0	50.0	50.0	50.0	40.0	20.0	15.0	15.0	50.0	50.0	50.0



4. Application 70803

Priority date: 10/26/90

SPENCER CR tributary to KLAMATH R

SPENCER CREEK FROM TUNNEL CREEK AT RIVER MILE 12.0 (NWSW, SECTION 18, TOWNSHIP 38S, RANGE 6E WM); TO THE MOUTH AT RIVER MILE 0.0 (NWNW, SECTION 29, TOWNSHIP 39S, RANGE 7E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
16.0	16.0	20.0	20.0	20.0	20.0	20.0	12.0	12.0	12.0	12.0	16.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
23.8	30.5	43.4	60.5	57.3	35.5	20.6	15.8	17.2	19.9	21.0	23.4

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
16.0	16.0	20.0	20.0	20.0	20.0	20.0	12.0	12.0	12.0	12.0	16.0

5. Application 70804

Priority date: 10/26/90

SPRAGUE R tributary to WILLIAMSON R

SPRAGUE RIVER FROM SOUTH FORK SPRAGUE RIVER AT RIVER MILE 84.0 (SWNE, SECTION 24, TOWNSHIP 36S, RANGE 13E WM); TO THE SYCAN RIVER AT RIVER MILE 70.5 (SWSW SECTION 10, TOWNSHIP 36S, RANGE 12E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
100.0	100.0	100.0	100.0	100.0	80.0	60.0	60.0	60.0	60.0	100.0	100.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
201.0	266.0	375.0	564.0	675.0	382.0	184.0	131.0	147.0	172.0	179.0	194.0

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
100.0	100.0	100.0	100.0	100.0	80.0	60.0	60.0	60.0	60.0	100.0	100.0

**6. Application 70805**

Priority date: 10/26/90

SPRAGUE R tributary to WILLIAMSON R

SPRAGUE RIVER FROM SYCAN RIVER AT RIVER MILE 70.5 (SWSW, SECTION 10, TOWNSHIP 36S, RANGE 12E WM); TO ROAD CROSSING AT LONE PINE AT RIVER MILE 32.9 (NWSW, SECTION 11, TOWNSHIP 35S, RANGE 9E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
120.0	120.0	120.0	120.0	120.0	100.0	80.0	80.0	80.0	80.0	120.0	120.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
316.0	437.0	672.0	1040.0	1030.0	569.0	275.0	194.0	215.0	258.0	278.0	307.0

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
120.0	120.0	120.0	120.0	120.0	100.0	80.0	80.0	80.0	80.0	120.0	120.0

**7. Application 70806**

Priority date: 10/26/90

SPRAGUE R tributary to WILLIAMSON R

SPRAGUE RIVER FROM ROAD CROSSING AT LONE PINE AT RIVER MILE 32.9 (NWSW, SECTION 11, TOWNSHIP 35S, RANGE 9E WM); TO THE MOUTH AT RIVER MILE 0.0 (NWNW, SECTION 3 TOWNSHIP 35S, RANGE 7E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
150.0	150.0	150.0	150.0	150.0	120.0	100.0	100.0	100.0	100.0	150.0	150.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
417.0	547.0	798.0	1160.0	1120.0	660.0	347.0	260.0	287.0	343.0	366.0	411.0

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
150.0	150.0	150.0	150.0	150.0	120.0	100.0	100.0	100.0	100.0	150.0	150.0

**8. Application 70807**

Priority date: 10/26/90

CROOKED CR tributary to WOOD R

CROOKED CREEK FROM HATCHERY SPRINGS (SESW, SECTION 1,  
TOWNSHIP 34S, RANGE 7.50E WM); TO THE MOUTH AT RIVER  
MILE 0.0 (SECTION 13, TOWNSHIP 34S, RANGE 7.50E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
15.0	15.0	25.0	25.0	15.0	15.0	15.0	15.0	15.0	25.0	15.0	15.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
84.7	85.0	93.0	93.2	83.1	82.5	77.2	79.5	80.1	92.4	90.4	89.6

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
15.0	15.0	25.0	25.0	15.0	15.0	15.0	15.0	15.0	25.0	15.0	15.0

**9. Application 70810**

Priority date: 10/26/90

FORT CR tributary to WOOD R

FORT CREEK FROM THE HEADWATERS (SPRINGS) AT RIVER MILE  
3.5 (NWNE, SECTION 23, TOWNSHIP 33S, RANGE 7.50E WM); TO  
THE MOUTH AT RIVER MILE 0.0 (NE1/4, SECTION 34,  
TOWNSHIP 33S, RANGE 7.50E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	20.0	30.0	30.0	30.0	20.0	20.0	20.0	20.0	30.0	20.0	20.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
83.2	82.2	82.4	84.3	85.0	85.6	85.2	86.1	86.4	85.2	83.9	82.9

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	20.0	30.0	30.0	30.0	20.0	20.0	20.0	20.0	30.0	20.0	20.0



## 12. Application 70816

Priority date: 10/26/90

N FK SPRAGUE R tributary to SPRAGUE R

NORTH FORK SPRAGUE RIVER FROM SHEEPY CREEK AT RIVER  
MILE 17.5 (SENW, SECTION 15, TOWNSHIP 35S, RANGE 15E  
WM); TO THE MOUTH AT RIVER MILE 0.0 (SWNE, SECTION 24,  
TOWNSHIP 36S, RANGE 13E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
50.0	50.0	50.0	50.0	50.0	40.0	20.0	15.0	15.0	50.0	50.0	50.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
82.1	108.0	154.0	236.0	284.0	159.0	76.1	54.4	60.8	70.6	73.5	79.1

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
50.0	50.0	50.0	50.0	50.0	40.0	20.0	15.0	15.0	50.0	50.0	50.0

## 13. Application 70818

Priority date: 10/26/90

N FK SPRAGUE R tributary to SPRAGUE R

NORTH FORK SPRAGUE RIVER FROM SHEEPY CREEK AT RIVER  
MILE 17.5 (SENW, SECTION 15, TOWNSHIP 35S, RANGE 15E  
WM); TO THE MOUTH AT RIVER MILE 0.0 (SWNE, SECTION 24,  
TOWNSHIP 36S, RANGE 13E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
50.0	50.0	50.0	50.0	50.0	40.0	20.0	15.0	15.0	50.0	50.0	50.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
308.0	350.0	308.0	317.0	298.0	270.0	277.0	296.0	300.0	315.0	342.0	329.0

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
50.0	50.0	50.0	50.0	50.0	40.0	20.0	15.0	15.0	50.0	50.0	50.0

## 14. Application 70821

Priority date: 10/26/90

SYCAN R tributary to SPRAGUE R

SYCAN RIVER FROM PARADISE CREEK AT RIVER MILE 58.2 (SWNE, SECTION 22, TOWNSHIP 33S, RANGE 15E WM); TO AN UNNAMED TRIBUTARY AT RIVER MILE 36.8 (SWNE, SECTION 10, TOWNSHIP 33S, RANGE 13E WM)

a. The amount of water requested for instream use:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st½	15.0	15.0	20.0	20.0	20.0	15.0	10.0	5.0	5.0	20.0	15.0	15.0
2nd½	15.0	15.0	20.0	20.0	10.0	15.0	10.0	5.0	5.0	20.0	15.0	15.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
41.4	68.4	135.0	239.0	202.0	85.5	38.6	27.9	27.6	30.5	40.2	44.1

c. Allowable water use

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st½	15.0	15.0	20.0	20.0	20.0	15.0	10.0	5.0	5.0	20.0	15.0	15.0
2nd½	15.0	15.0	20.0	20.0	10.0	15.0	10.0	5.0	5.0	20.0	15.0	15.0

## 15. Application 70822

Priority date: 10/26/90

SYCAN R tributary to SPRAGUE R

SYCAN RIVER FROM AN UNNAMED TRIBUTARY AT RIVER MILE 36.8 (SWNE, SECTION 10, TOWNSHIP 33S, RANGE 13E WM); TO TORRENT SPRING CREEK AT RIVER MILE 23.0 (SENW, SECTION 33, TOWNSHIP 33S, RANGE 12E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
35.0	35.0	35.0	35.0	35.0	30.0	20.0	15.0	15.0	15.0	35.0	35.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
43.2	74.2	164.0	326.0	252.0	99.3	43.3	30.7	29.7	32.4	43.2	46.5

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
35.0	35.0	35.0	35.0	35.0	30.0	20.0	15.0	15.0	15.0	35.0	35.0

## 16. Application 70823

Priority date: 10/26/90

SYCAN R tributary to SPRAGUE R

SYCAN RIVER FROM TORRENT SPRING CREEK AT RIVER MILE  
23.0 (SE1/4, SECTION 33, TOWNSHIP 33S, RANGE 12E WM);  
TO THE MOUTH AT RIVER MILE 0.0 (NWSW, SECTION 10,  
TOWNSHIP 36S, RANGE 12E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
50.0	50.0	50.0	50.0	50.0	40.0	30.0	20.0	20.0	20.0	50.0	50.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
45.2	79.1	185.0	386.0	287.0	110.0	47.1	33.0	31.6	34.3	45.8	48.7

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
45.2	50.0	50.0	50.0	50.0	40.0	30.0	20.0	20.0	20.0	45.8	48.7

## 17. Application 70824

Priority date: 10/26/90

WILLIAMSON R tributary to UPPER KLAMATH L

WILLIAMSON RIVER FROM HAED OR RIVER SPRING AT RIVER MILE  
85.5 (SE1/4, SECTION 4, TOWNSHIP 33S, RANGE 11E WM); TO  
ROCKY FORD AT RIVER MILE 69.5 (SWSW, SECTION 7, TOWNSHIP  
31S, RANGE 11E WM)

a. The amount of water requested for instream use:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st½	30.0	40.0	50.0	50.0	50.0	40.0	30.0	30.0	30.0	50.0	30.0	30.0
2nd½	40.0	40.0	50.0	50.0	50.0	40.0	30.0	30.0	30.0	50.0	30.0	30.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
61.0	64.3	70.1	80.5	78.7	73.2	58.8	48.6	54.7	59.8	61.0	62.8

c. Allowable water use

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st½	30.0	40.0	50.0	50.0	50.0	40.0	30.0	30.0	30.0	50.0	30.0	30.0
2nd½	40.0	40.0	50.0	50.0	50.0	40.0	30.0	30.0	30.0	50.0	30.0	30.0

## 18. Application 70825

Priority date: 10/26/90

WILLIAMSON R tributary to UPPER KLAMATH L

WILLIAMSON RIVER FROM USGS GAGE 11493500 AT RIVER MILE 27.0 (NWSW, SECTION 1, TOWNSHIP 33S, RANGE 7E WM); TO SPRING CREEK AT RIVER MILE 16.5 (SENE, SECTION 9, TOWNSHIP 34S, RANGE 7E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
60.0	60.0	60.0	60.0	60.0	40.0	25.0	25.0	20.0	20.0	60.0	60.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
228.0	339.0	468.0	501.0	332.0	216.0	100.0	55.6	53.7	42.3	128.0	244.0

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
60.0	60.0	60.0	60.0	60.0	40.0	25.0	25.0	20.0	20.0	60.0	60.0

## 19. Application 70826

Priority date: 10/26/90

WILLIAMSON R tributary to UPPER KLAMATH L

WILLIAMSON RIVER FROM SPRAGUE RIVER AT RIVER MILE 11.0 (NWNW, SECTION 3, TOWNSHIP 35S, RANGE 7E WM); TO THE MOUTH AT RIVER MILE 0.0 (NESE, SECTION 11, TOWNSHIP 36S, RANGE 7.50E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
300.0	300.0	300.0	300.0	300.0	250.0	200.0	200.0	200.0	200.0	300.0	300.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
963.0	1250.0	1590.0	1990.0	1760.0	1160.0	731.0	616.0	646.0	708.0	844.0	993.0

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
300.0	300.0	300.0	300.0	300.0	250.0	200.0	200.0	200.0	200.0	300.0	300.0



## 20. Application 70827

Priority date: 10/26/90

WILLIAMSON R tributary to UPPER KLAMATH L

WILLIAMSON RIVER FROM SPRING CREEK AT RIVER MILE 16.5  
(SENE, SECTION 9, TOWNSHIP 34S, RANGE 7E WM); TO SPRAGUE  
RIVER AT RIVER MILE 11.0 (NWNW, SECTION 3, TOWNSHIP 35S,  
RANGE 7E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
300.0	300.0	300.0	250.0	200.0	200.0	200.0	200.0	200.0	200.0	300.0	300.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
540.0	693.0	782.0	823.0	633.0	490.0	380.0	353.0	356.0	360.0	473.0	576.0

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
300.0	300.0	300.0	250.0	200.0	200.0	200.0	200.0	200.0	200.0	300.0	300.0

## 21. Application 70828

Priority date: 10/26/90

WILLIAMSON R tributary to UPPER KLAMATH L

WILLIAMSON RIVER FROM ROCKY FORD AT RIVER MILE 69.5  
(SWSW, SECTION 7, TOWNSHIP 31S, RANGE 11E WM); TO USGS  
GAGE 11493500 AT RIVER MILE 27.0 (NWSW, SECTION 1,  
TOWNSHIP 33S, RANGE 7E WM)

## a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	30.0	40.0	40.0	40.0	30.0	20.0	20.0	15.0	15.0	15.0	15.0

## b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
210.0	319.0	447.0	480.0	313.0	198.0	85.0	41.8	39.0	25.6	112.0	226.0

## c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
20.0	30.0	40.0	40.0	40.0	30.0	20.0	20.0	15.0	15.0	15.0	15.0

22. Application 70829

Priority date: 10/26/90

WOOD R tributary to UPPER KLAMATH L

WOOD RIVER FROM WOOD RIVER SPRING AT RIVER MILE 17.0  
(NE1/4, SECTION 3, TOWNSHIP 33S, RANGE 7.50E WM); TO  
THE MOUTH AT RIVER MILE 0.0 (NE1/4, SECTION 25, TOWNSHIP  
34S, RANGE 7.50E WM)

a. The amount of water requested for instream use:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
80.0	80.0	80.0	80.0	80.0	60.0	60.0	60.0	60.0	60.0	80.0	80.0

b. The estimated average natural flow:

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
347.0	335.0	336.0	376.0	439.0	471.0	442.0	398.0	383.0	390.0	365.0	362.0

c. Allowable water use

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
80.0	80.0	80.0	80.0	80.0	60.0	60.0	60.0	60.0	60.0	80.0	80.0

NOTE: Exceptions to the instream water right flows are likely to appear on the certificate if one is issued. The Department is working on the exact wording of the conditions. The conditions are likely to allow some amount of additional appropriations for human and livestock consumption.

Your applications can be moved to the next phase of the water rights application review process.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period, will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your applications as described below.

Withdrawal:

If you choose not to proceed, you may withdraw your application. To accomplish this you must notify the Department in writing by **February 6, 1996**. For your convenience you may use the enclosed "STOP PROCESSING" form.

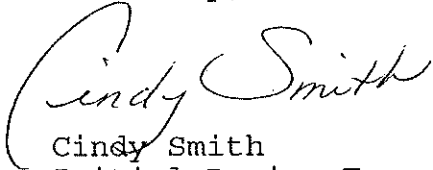
To Proceed With Your Application:

If you choose to proceed with an application, you do not have to notify the Department. Your applications will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If you have any questions:

Feel free to call Michael Mattick at (503) 378-8455 ext. 276 or 1 (800) 624-3199 if you have any questions. Please have your application number(s) available if you call.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Smith". The signature is written in black ink and is positioned to the left of the typed name.

Cindy Smith  
Initial Review Team

cc: Regional Manager, Watermaster, Water Availability  
Section  
enclosures: Stop Processing Form

# WaterWatch

O F O R E G O N

December 3, 1990

Mike Mattick  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

Re: ODFW applications for Instream Water Rights, Klamath,  
Williamson River, Permit numbers 70824, 70825, 70826, 70827  
and 70828.

Dear Mr. Mattick,

We write in support of the Oregon Department of Fish and Wildlife's request for the above referenced Instream Water Rights. Establishment of Instream Water Rights for maintenance of fish life in this river is needed to ensure protection of this public use.

Please notify us of any protest, petition, or request for review received on this water right application. If we do not hear from the Department prior to action on this permit we will assume nothing has been received by the Department.

Thank you for consideration of this letter. Call if you have any questions.

Sincerely,



Audrey Simmons  
President

MOON CONSULTING  
P.O. BOX 82  
EUGENE, OREGON 97440

David C. Moon  
ATTORNEY AT LAW

(503) 485-5350

December 6, 1990

Water Resources Department  
Applications and Permits Division  
3850 Portland Road NE  
Salem, Oregon 97310

RECEIVED  
DEC 6 1990  
WATER RESOURCES DEPT.  
SALEM, OREGON

Attn: Mike Mattick

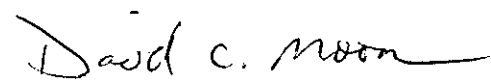
Dear Mr. Mattick:

I'm writing on behalf of Tulana Farms and Goose Bay Farms/Ranches to request a review and hearing to object to the Instream Water Rights applications filed by the Oregon Department of Fish & Wildlife on the Williamson River (Application Nos. 70824 through 70828). My clients both own water rights from the Williamson River for irrigation purposes; granting the applications as filed would adversely affect their water rights and prevent them from making any future appropriations of water from the Williamson River.

The basis for my clients objections is that: (1) the flow rates requested are excessive and said amounts are far greater than what is necessary to support fish and wildlife; (2) the applications are based on inadequate factual data and scientific methodology; (3) the ODFW has applied the methodology and criteria for the instream flow water rights incorrectly; (4) the flow rates requested would appropriate all remaining water in the Williamson River and prevent any future appropriations by others which would be in the broadest range of public good and would be prejudicial to the public interest; (5) the flow rates requested may exceed the average natural flow of the Williamson River; and (6) the instream water rights may be in conflict with the Klamath River Basin Compact. Therefore they are requesting a thorough review, including a hearing and request that they be a party to such hearing.

Instream water rights which request flow rates beyond the minimum necessary to support fish and wildlife will only result in the waste of water since the water would not be available for appropriation. A review of their applications and a hearing on those applications to determine if the instream water rights are necessary in the amounts applied for and are in the public interest is extremely important. Please contact me if anything further is required.

Sincerely,



David C. Moon

APPLICATION PROCESSING OUTLINE

Basin: \_\_\_\_\_  
 Sub-basin: \_\_\_\_\_  
 Fees paid: Examination fee: \_\_\_\_\_  
 Recording fees: \_\_\_\_\_  
 Total: \_\_\_\_\_

Application No. 70828  
 Permit No. \_\_\_\_\_

RATE AND DUTY \_\_\_\_\_ for irrigation

1. Check for minimum information (GAR 690-11-020)

yes	no	
_____	_____	Name and mailing address of the applicant.
_____	_____	Source of the water.
_____	_____	Quantity of water to be appropriated.
_____	_____	Location of point of diversion to 1/4 1/4 Section.
_____	_____	Nature and place of use.
_____	_____	Name and mailing address of all legal owners of the properties involved.
_____	_____	Signature of the applicant
_____	_____	Examination fees.

If minimum information not supplied, excepting legal owner information, then return to applicant with letter explaining deficiencies.

yes	no	
_____	_____	Water Resources Commission classification limits or restrictions -- If yes, note:

_____	_____	State Engineer's withdrawals -- If yes, note:
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_____	_____	Legislative withdrawals -- If yes, note:
-------	-------	--

_____	_____	If policy statement is unclear check with Resources Management Division.
-------	-------	--

_____	_____	Scenic Waterway: _____
_____	_____	on _____ up-stream _____ w/in 1/4 mile

_____	_____	Notify Parks and Recreation Department
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_____	_____	Out-of-basin diversion
_____	_____	Need to route to Geology Section due to:
_____	_____	well within one mile of a stream
_____	_____	well within restricted surface water area
_____	_____	wells with request for greater than 5 cfs
_____	_____	well is for heating &/or cooling
_____	_____	well constructed by land owner
_____	_____	well is artesian
_____	_____	artificial ground water recharge project
_____	_____	ground water area under study

_____	_____	Within Irrigation District: _____
_____	_____	Notify _____ Need excerpt from District

_____	_____	Legal description of property
_____	_____	Ownership statement
_____	_____	Other parties to Notify: _____

_____	_____	Water Resources Commission review if:
_____	_____	Request for greater than 5 cfs
_____	_____	Dam height greater than 10 feet
_____	_____	Storage of more than 9.2 acre-feet
_____	_____	Out-of-basin diversion
_____	_____	within or above a scenic waterway
_____	_____	conditional uses under basin program
_____	_____	requests for larger rate or duty than allowed
_____	_____	ground water recharge project
_____	_____	other substantial public interest issues
_____	_____	requests for review by an agency or person

<input checked="" type="checkbox"/>	_____	Watermaster comment forms sent with copy of <i>draft permit</i>
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_____	_____	<del>application and map</del>
_____	_____	Watermaster comments received _____

_____	_____	Hydrographic section comments requested _____
_____	_____	Hydrographic section comments received _____

<input checked="" type="checkbox"/>	_____	O.D.F.W. sent copy of application <del>and map</del> (except
-------------------------------------	-------	--

_____	_____	groundwater) requesting comment _____
_____	_____	O.D.F.W. comments received _____

_____	_____	Report from D.E.G. received _____
-------	-------	-----------------------------------

<input checked="" type="checkbox"/>	_____	Publish application information in weekly public
-------------------------------------	-------	--

_____	_____	notice.
-------	-------	---------

_____	_____	Notify other owners of development
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_____	_____	PROTESTED
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_____	_____	filed _____
-------	-------	-------------

_____	_____	resolved _____
-------	-------	----------------