



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

December 21, 2007

A T I WAH CHANG  
ATTN: DOUG PENNINGTON  
PO BOX 460; 1600 OLD SALEM RD. NE  
ALBANY, OR 97321-0460

Reference: File S-87046

Dear Mr. Pennington:

**THIS IS NOT A PERMIT AND IS  
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The application proposed the use of 4.63 cubic feet per second (CFS) of water from Willamette River, a tributary of Columbia River, for fish culture use and wildlife use from April 1 through November 30.
1. The proposed uses are not prohibited by law or rule except where otherwise noted below.
2. The use of water from Willamette River, a tributary of Columbia River, for fish culture use and wildlife use are allowable under the Willamette Basin Program.
3. Surface water is available in the amount and for the full period requested.

Summary of Initial Determinations

**The use of 4.63 CFS from Willamette River, a tributary of Columbia River for fish culture use and wildlife use are allowable during the full period requested, April 1 through November 30.**

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

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.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application 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.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, January 4, 2008** For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use 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.
  - 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.
2. You may be required to install fish screens at the point of diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.

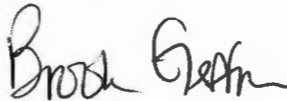
This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews comments from the public and other agencies, and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at [http://www.oregon.gov/ODA/NRD/water\\_agplans.shtml](http://www.oregon.gov/ODA/NRD/water_agplans.shtml) to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0808 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Brook Geffen, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Brook Geffen  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-87046  
WAB 2-183  
POU 2-183  
GW- NA

# APPLICATION FACT SHEET

Application File Number: S-87046

Applicant: A T I WAH CHANG

County: Linn

Watermaster: 16

Priority Date: November 28, 2007

Source: WILLAMETTE RIVER, A TRIBUTARY OF COLUMBIA RIVER

Use: FISH CULTURE AND WILDLIFE

Quantity: 4.63 CUBIC FEET PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 26 WILLAMETTE R & TRIBS

Point of Diversion: NENE, SECTION 32, T10S, R3W, W.M.; 1320 FEET SOUTH AND 1080 FEET WEST FROM NE CORNER, SECTION 32

Place of Use:

SW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
NE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
SW  $\frac{1}{4}$  NW  $\frac{1}{4}$   
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$   
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$   
SE  $\frac{1}{4}$  SE  $\frac{1}{4}$   
SECTION 29

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
NW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
SE  $\frac{1}{4}$  NE  $\frac{1}{4}$   
SECTION 32

SW  $\frac{1}{4}$  NW  $\frac{1}{4}$   
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$   
SECTION 33

TOWNSHIP 10 SOUTH, RANGE 3 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, January 4, 2008**

**PUBLIC NOTICE DATE: Tuesday, December 25, 2007**

**30 DAY COMMENT DEADLINE DATE: Thursday, January 24, 2008**

RECEIVED

NOV 28 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

**Application for a Permit to Use Surface Water  
In The Name of: ATI Wah Chang  
Township 10 South, Range 3 West (W.M.)**

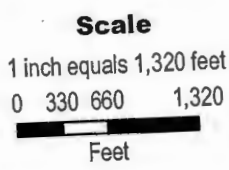


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**Legend**

- Point of Diversion (POD)
- ▲ Proposed Re-diversion into Truax Creek
- Surface Water Diversion Pipe
- ~ Watercourses
- Waterbodies
- ∩ Roads
- +— Railroads

**POD Legal Description**  
Proposed Point of Diversion  
Located 1320 feet South and 1080 feet West from the NE corner  
of Section 32, Township 10 South, Range 3 West (W.M.)



**Map Information**

Map Projection: Oregon State Plane North Zone  
Map Datum: North American Datum of 1983  
Map Date: November 2, 2007  
Prepared By: GSI Water Solutions, Inc.

**Data Sources**

City of Albany GIS, Oregon Geospatial Data Clearinghouse

**Note**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



App No S-87046