



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

FRASER FAMILY REVOCABLE TRUST B
ATTN: ELSIE FRASER
22307 MACFARLANE DR
WOODLAND HILLS, CA 91364

May 23, 2008

Reference: File G-16840

Dear Ms. Fraser:

**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 0.49 cubic foot per second (CFS) of water from a well for irrigation use on 39.0 acres from March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from a well in Lousignont Creek Basin for irrigation use on 39.0 acres is allowable under the Willamette Basin Program.
4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-09, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

Summary of Initial Determinations

The use of 0.49 CFS from a well in Lousignont Creek Basin for irrigation use on 39.0 acres is allowable during the full period requested, March 1 through October 31.

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, June 6, 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 at each point of appropriation. The permittee shall maintain the meter(s) in good working order. The permittee shall keep a complete record of the amount of water used each month, and shall submit an annual report which includes the recorded water use measurements to the Department by December 1 of each year. 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(s); provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.
2. (1) Use of water from any well, as allowed herein, shall be controlled or shut off if the well displays:

- (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well(s).
- (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and reported to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall report the record of measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (2).
3. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or

unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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 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,

A handwritten signature in black ink that reads "Brook Geffen". The signature is written in a cursive, flowing style.

Brook Geffen
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-16840
WAB 2-NA
POU 2-NA
GW

APPLICATION FACT SHEET

Application File Number: G-16840

Applicant: ELSIE FRASER FRASER FAMILY REVOCABLE TRUST B

County: WASHINGTON

Watermaster: 18

Priority Date: APRIL 27, 2007

Source: A WELL IN LOUSIGNONT CREEK BASIN

Use: IRRIGATION USE ON 39.0 ACRES

Quantity: 0.49 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 20A W FK DAIRY CR MISC

Point of Diversion or Well Location(s): NWNW, SECTION 11, T1N, R4W, W.M.; 220 FEET SOUTH AND 770 FEET EAST FROM NW CORNER, SECTION 11

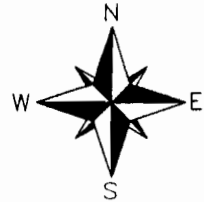
Place of Use:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.0 ACRES
SECTION 11
TOWNSHIP 1 NORTH, RANGE 4 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, June 6, 2008

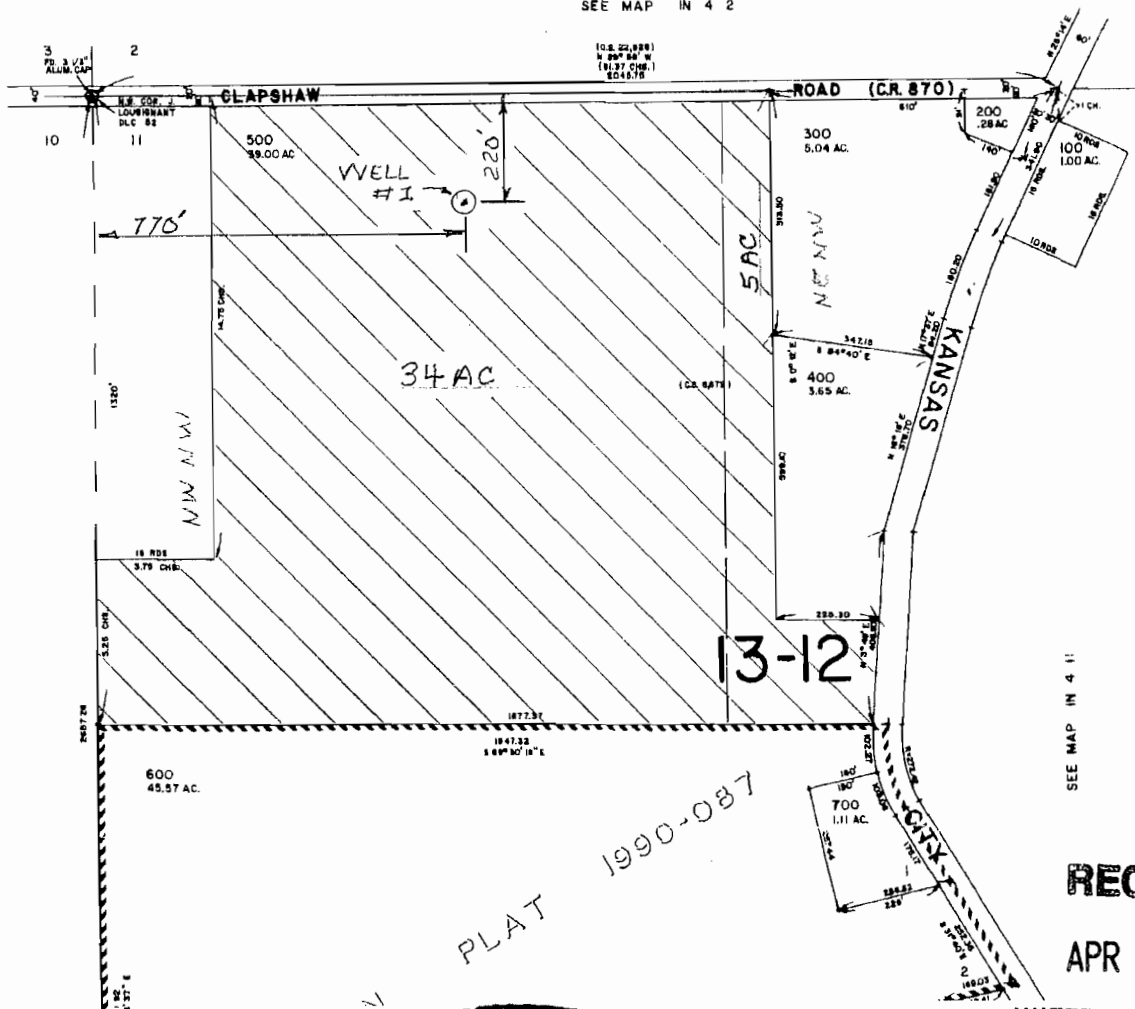
PUBLIC NOTICE DATE: Tuesday, May 27, 2008

30 DAY COMMENT DEADLINE DATE: Thursday, June 26, 2008



NW1/4 SECTION 11 T1N R4W WM.
WASHINGTON COUNTY
SCALE 1" = 400'

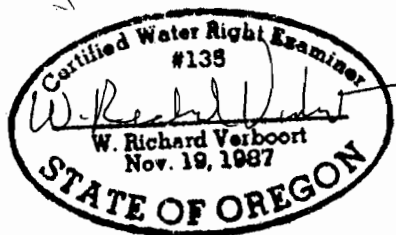
SEE MAP IN 4 2



RECEIVED

APR 27 2007

WATER RESOURCES DEPT
SALEM, OREGON



PREPARATION OF THIS MAP IS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF
THE WATER RIGHT ONLY. THERE IS NO INTENT
TO PROVIDE DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES.

Stuntzner
Engineering & Forestry, LLC

ENGINEERING • LAND SURVEYING • FORESTRY
PLANNING • WATER RIGHTS

3012-A PACIFIC AVENUE INFO@STUNTZNER.COM
BALLAD TOWNE SQUARE PHONE: (503) 357-5717
FOREST GROVE, OR 97116 FAX: (503) 357-5698

DRAWN BY: RV	DATE: 4-10-07
CHECKED BY: RV	DRAWING NO.: 307-2-033
DESIGNED BY:	REVISED:
JOB NAME: FRASER TRUST	SHEET 1 OF 1

Appl. # G-16840