



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

August 15, 2008

GEORGE STROEMPLE
PO BOX 1810
LAKE OSWEGO, OR 97035

Reference: File S-87246

Dear Mr. Stroemple:

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 requested the use of 12.0 acre feet (AF) from Stonehouse Pond under Application R-87245, a tributary of Stonehouse Creek, and 0.57 cubic foot per second (CFS) from Stonehouse Creek, a tributary of Wildhorse Creek, for irrigation use on 34.0 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 Stonehouse Pond under Application R-87245, a tributary of Stonehouse Creek, and Stonehouse Creek, a tributary of Wildhorse Creek, for irrigation use is allowable under the Malheur Lake Basin Program.
4. Stored water is available from Stonehouse Pond, contingent upon the approval of Application R-87245.

Surface water is not available in the amount requested during the period July 1 through September 30 of each year.

Summary of Initial Determinations

The use of 12.0 AF from Stonehouse Pond under Application R-87245, a tributary of Stonehouse Creek, from March 1 through October 31, and 0.57 CFS from Stonehouse Creek, a tributary of Wildhorse Creek, from March 1 through June 30, for irrigation use on 34.0 acres may be allowed.

Because of the Department's determination, your application can be moved to the next phase of the water rights application review process where public interest factors will be evaluated. However, due to #4 above, your application will likely be limited accordingly.

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 application as described below.

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, August 29, 2008**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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.

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 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 503-986-0859 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: Jeana Eastman, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

APPLICATION FACT SHEET

Application File Number: S-87246

Applicant: GEORGE STROEMPLE

County: Harney

Watermaster: 10

Priority Date: July 31, 2008

Source: STONEHOUSE POND UNDER APPLICATION R-87245, A TRIBUTARY OF STONEHOUSE CREEK, AND STONEHOUSE CREEK, A TRIBUTARY OF WILDHORSE CREEK

Use: IRRIGATION USE ON 34.0 ACRES

Quantity: 12.0 ACRE FEET AND 0.57 CUBIC FOOT PER SECOND

Basin Name & Number: Malheur Lake, #12

Stream Index Reference: Volume 1A WILDHORSE CR & MISC

Point of Diversion or Well Location(s): NESE, SECTION 15, T35S, R33E, W.M.; 340 FEET SOUTH AND 1720 FEET EAST FROM C1/4 CORNER, SECTION 15

Place of Use:

SE ¼ NE ¼ 19.0 ACRES
NE ¼ SE ¼ 15.0 ACRES
SECTION 15
TOWNSHIP 35 SOUTH, RANGE 33 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, August 29, 2008

PUBLIC NOTICE DATE: Tuesday, August 19, 2008

30 DAY COMMENT DEADLINE DATE: Thursday, September 18, 2008

Mailing List for IR Copies

Application #S-87246

IR Date : August 15, 2008

Original mailed to applicant:

GEORGE STROEMPLE , PO BOX 1810, LAKE OSWEGO, OR 97035

Copies sent to:

1. WRD - File # S-87246
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent **VIA EMAIL**:

3. WRD - Watermaster # 10 (include Division 33 form)
4. ODFW: Tim Walters (include Division 33 form)
5. DEQ: Eric Nigg (include Division 33 form)

IR, Map, and Fact Sheet Copies sent to:

6. WRD - Regional Manager (not SCR): E
7. Department of Agriculture

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

8. Applegate, Steve

Steven Applegate Consulting, 3395 Huckleberry Ct S, Salem OR 97302

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

COPYSH.T.IR

Caseworker: Jeana Eastman