



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

March 14, 2008

CITY OF COLUMBIA CITY
LEAHNETTE RIVERS
PO BOX 189
COLUMBIA CITY, OR 97018

Reference: File G-16984

Dear Ms. Rivers:

**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 500.0 gallons per minute, or 1.11 cubic feet per second (CFS), of water from Well PW1 (COLU 53313) and Well PW2 (COLU 53400), within the Columbia River Basin, for year-round municipal use.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The Department has determined, based upon Oregon Administrative Rule (OAR) 690-09, that the proposed wells will produce groundwater from an unconfined alluvium aquifer within a quarter mile of the banks of surface water and is presumed to be hydraulically connected to the surface water. Such hydraulically connected groundwater is classified the same as the surface source under OAR 690-502-0240. Well PW1 (COLU 53313) and Well PW2 (COLU 53400) are hydraulically connected to the Columbia River. The use of water from Well PW1 (COLU 53313) and Well PW2 (COLU 53400) in Columbia River Basin for municipal use is allowed under OAR 690-519, the Columbia River Basin Program.

4. The use of water from Well PW1 (COLU 53313) and Well PW2 (COLU 53400) in Columbia River Basin for municipal use is allowable under the Willamette Basin Program.
5. 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 have the potential for substantial interference with Columbia River. Therefore, in accordance with OAR 690-400-0010(11)(a)(B), surface water availability must also be considered.

Surface water is available in the amount and for the full period requested.

Summary of Initial Determinations

The use of 1.11 CFS from Well PW1 (COLU 53313) and Well PW2 (COLU 53400) in Columbia River Basin for municipal use is allowable during the full period requested, year round.

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, March 28, 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 appropriation. 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. The wells shall produce ground water only from the sand and gravel ground water reservoir between 0 feet and 150.0 feet below land surface.

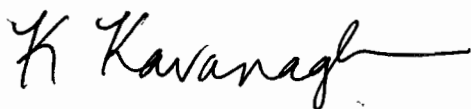
This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews comments from the public and other agencies, and prepares a proposed final order. You should be aware that, 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 503-986-0816 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: Kerry Kavanagh, 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 "K Kavanagh" with a long horizontal flourish extending to the right.

Kerry Kavanagh
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-16984
WAB 1-no wab
POU 1-no wab
GW

APPLICATION FACT SHEET

Application File Number: G-16984

Applicant: CITY OF COLUMBIA CITY; LEAHNETTE RIVERS

County: Columbia

Watermaster: 18

Priority Date: December 19, 2007

Source: WELL PW1 (COLU 53313) AND WELL PW2 (COLU 53400) IN COLUMBIA RIVER BASIN

Use: MUNICIPAL USE

Quantity: 1.11 CUBIC FEET PER SECOND

Basin Name & Number: North Coast, #1

Stream Index Reference: Volume 1 COLUMBIA R MISC

Well Locations:

Well PW1 (COLU 53313) - SENE, SECTION 28, T5N, R1W, W.M.; 330 FEET NORTH AND 1340 FEET EAST FROM C1/4 CORNER, SECTION 28

Well PW2 (COLU 53400) - SENE, SECTION 28, T5N, R1W, W.M.; 210 FEET NORTH AND 1385 FEET EAST FROM C1/4 CORNER, SECTION 28

Place of Use: WITHIN THE SERVICE BOUNDARY OF THE CITY OF COLUMBIA CITY

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 28, 2008

PUBLIC NOTICE DATE: Tuesday, March 18, 2008

30 DAY COMMENT DEADLINE DATE: Thursday, April 17, 2008