



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

MARY ORDAL
CITY OF HILLSBORO
PARKS AND RECREATION
4400 NW 229TH AVE
HILLSBORO, OR 97124

March 6, 2009

Reference: File S-87381

Dear Applicant:

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 6.3 acre feet (AF) of water from Lower Pond, tributary to Tualatin River, for year-round aesthetic use.

The application proposed the use of 6.3 AF of water from Lower Pond, constructed under Application R-87381, to circulate in a man-made creek system to Woodland Pond, constructed under Application R-87379, then back to Lower Pond.

2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from Lower Pond, a tributary of Tualatin River, for aesthetics is allowable under the Willamette Basin Program.
4. Stored water is available for further appropriation from Lower Pond in the amount and for the full period requested, contingent upon approval of Application R-87380.

Summary of Initial Determinations

The use of 6.3 AF of water from Lower Pond, a tributary of Tualatin River, for aesthetics is allowable during the full period requested, year round, contingent upon approval of Application R-87380.

Because of these favorable determinations, the Department can now move your application to the next phase of the water-rights application review process, 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 20, 2009**. 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. The Director may require the permittee to install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. If the Director notifies the permittee to install a totalizing flow meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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 503-986-0853 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: Michele McAleer, 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 cursive script that reads "Michele R. McAleer".

Michele McAleer
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-87381
WAB 2-30201013
POU 2-30201013

APPLICATION FACT SHEET

Application File Number: S-87381

Applicant: MARY ORDAL, CITY OF HILLSBORO PARKS AND RECREATION

County: WASHINGTON

Watermaster: 18

Priority Date: January 20, 2009

Source: LOWER POND, A TRIBUTARY OF TUALATIN RIVER

Use: AESTHETICS

Quantity: 6.3 ACRE FEET

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 19 TUALATIN R

Point of Diversion: SWSW, SECTION 9, T1S, R2W, W.M.; 269 FEET NORTH AND 216 FEET EAST FROM SE CORNER, SECTION 9

Place of Use:

SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 8

SW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 9

NW $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 16

TOWNSHIP 1 SOUTH, RANGE 2 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 20, 2009

PUBLIC NOTICE DATE: Tuesday, March 10, 2009

30 DAY COMMENT DEADLINE DATE: Thursday, April 9, 2009

Mailing List for IR Copies

Application #S-87381

IR Date: March 6, 2009

Original mailed to applicant:

MARY ORDAL, CITY OF HILLSBORO PARKS AND RECREATION, 4400 NW 229TH AVE,
HILLSBORO, OR 97124

Copies sent to:

1. WRD - File # S-87381
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent via e-mail to:

3. WRD - Watermaster # 18
4. ODFW - Danette Faucera (Ehlers)
5. DEQ - Sally Puent

IR, Map, and Fact Sheet Copies sent to:

6. Department of Agriculture

Affected Landowners (include "Notice of Initial Review--Affected Landowner"):

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

<p>Copies Mailed By: _____ (SUPPORT STAFF) on: _____ (DATE)</p>

Caseworker: Michele McAleer

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