



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

CITY OF MONROE
ATTENTION: BARBARA JOHNSTON
PO BOX 486
MONROE, OR 97456

November 19, 2009

Reference: File G-17268

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 proposed the use of 150.0 gallons per minute, or 0.33 cubic foot per second (CFS), of water from Well 3 (BENT 53718) in Long Tom 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 use of water from Well 3 (BENT 53718) in Long Tom River Basin for municipal use is allowable under the Willamette Basin Program.
4. Ground water will likely be available in the amounts requested without injury to prior rights and within the capacity of the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will have the potential for substantial interference with Long Tom 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.

5. The Land Use Information form that you submitted with your application that was signed by a representative from Benton County indicates that you are pursuing land-use approval. However, prior to issuance of a permit, the Department must receive documentation from the relevant planning jurisdiction that either 1) the proposed use is allowed outright or 2) that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded.

Summary of Initial Determinations

The use of 0.33 CFS from Well 3 (BENT 53718) in Long Tom 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, 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 \$200 processing charge per application). To accomplish this you must notify the Department in writing by **Thursday, December 3, 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. 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.
 - B. The permittee 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.
 - C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
3. The well(s) shall produce ground water only from the bedrock ground water reservoir.

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,



Kerry Kavanagh
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17268
WAB 2-30200321
POU 2-30200321
GW

APPLICATION FACT SHEET

Application File Number: G-17268

Applicant: CITY OF MONROE; BARBARA JOHNSTON

County: Benton

Watermaster: 2

Priority Date: October 5, 2009

Source: WELL 3 (BENT 53718) IN LONG TOM RIVER BASIN

Use: MUNICIPAL USE

Quantity: 0.33 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 3A LONG TOM R MISC

Well Location: SENE, SECTION 33, T14S, R5W, W.M.; 1670 FEET SOUTH AND 720 FEET WEST FROM NE CORNER, SECTION 33

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

14 DAY STOP PROCESSING DEADLINE DATE: Thursday, December 3, 2009

PUBLIC NOTICE DATE: Tuesday, November 24, 2009

30 DAY COMMENT DEADLINE DATE: Thursday, December 24, 2009

Mailing List for IR Copies

Application #G-17268

IR Date: November 19, 2009

Original mailed to applicant:

CITY OF MONROE
ATTENTION: BARBARA JOHNSTON
PO BOX 486, MONROE, OR 97456

Copies sent to:

1. WRD - File # G-17268
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # 2
4. WRD - NW Regional Well Inspector

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

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

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