



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

January 15, 2010

GARRIE NEIL AND LINDA DIANE JOHNSON
36529 CAMP CREEK RD
SPRINGFIELD, OR 97478

Reference: File S-87566

Dear Applicants:

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 5.0 gallons per minute, or 0.01 cubic foot per second (CFS), of water from McKenzie River, a tributary of Willamette River, for year-round domestic use expanded for one household.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from McKenzie River, a tributary of Willamette River, for domestic use expanded is allowable under the Willamette Basin Program.
4. Surface water is available in the amount and for the full period requested.

Summary of Initial Determinations

The use of 0.01 CFS from McKenzie River, a tributary of Willamette River for domestic use expanded for one household 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 **Friday, January 29, 2010**. 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 diversion. The permittee shall maintain the meter or measuring device in good working order.
 - 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.
 - C. 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
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 503-986-0816 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

S-87566
WAB 2-528
POU 2-528
GW n/a

APPLICATION FACT SHEET

Application File Number: S-87566

Applicant: GARRIE NEIL AND LINDA DIANE JOHNSON

County: Lane

Watermaster: 2

Priority Date: December 30, 2009

Source: MCKENZIE RIVER, A TRIBUTARY OF WILLAMETTE RIVER

Use: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD

Quantity: 0.01 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 2 MCKENZIE R

Point of Diversion Location: NENW, SECTION 27, T17S, R2W, W.M.; 100 FEET SOUTH AND 2625 FEET EAST FROM NW CORNER, SECTION 27

Place of Use:

SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 22
TOWNSHIP 17 SOUTH, RANGE 2 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, January 29, 2010

PUBLIC NOTICE DATE: Tuesday, January 19, 2010

30 DAY COMMENT DEADLINE DATE: Thursday, February 18, 2010

Mailing List for IR Copies

Application #S-87566

IR Date: January 15, 2010

Original mailed to applicant:

GARRIE NEIL AND LINDA DIANE JOHNSON
36529 CAMP CREEK RD
SPRINGFIELD, OR 97478

Copies sent to:

1. WRD - File # S-87566
2. WRD - Water Availability: Ken Stahr

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

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

3. WRD - Watermaster # 2
4. ODFW:
5. DEQ:

IR, Map, and Fact Sheet Copies sent to:

6. Department of Agriculture

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

1. William Carson Howes and Ronald Scott Howes, 36482 Camp Creek Rd, Springfield, OR 97478

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

Caseworker: Kerry Kavanagh

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