



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

DONALD MCCALL
3465 TANAGER CIRCLE
CONCORD, CA 94520

January 22, 2010

Reference: File S-87560

Dear Mr. McCall:

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 diversion of 0.005 cubic foot per second (CFS) of water from Cleawox Lake for year-round domestic use 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 Cleawox Lake for domestic use is allowable under the Middle Coast Basin Program.
4. Surface water is available in the amount and for the full period requested.

Summary of Initial Determinations

The diversion of 0.005 CFS of water from Cleawox Lake for domestic use for one household is allowable 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, February 5, 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. 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.
 - 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.
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 503-986-0808 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: Brook Geffen, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Si '

A handwritten signature in black ink that reads "Brook Geffen" with a horizontal flourish at the end.

Brook Geffen
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-87560
WAB 18-NO WAB
POU 18-NO WAB
GW -NA

APPLICATION FACT SHEET

Application File Number: S-87560

Applicant: DONALD MCCALL

County: LANE

Watermaster: 15

Priority Date: DECEMBER 10, 2009

Source: CLEAWOX LAKE

Use: DOMESTIC USE FOR ONE HOUSEHOLD

Quantity: 0.005 CUBIC FOOT PER SECOND

Basin Name & Number: Middle Coast, #18

Stream Index Reference: Volume 3 BASIN 18 MISC

Point of Diversion: SWSE, SECTION 3, T19S, R12W, W.M.; 1385 FEET NORTH AND 2785 FEET WEST FROM SE CORNER, SECTION 3

Place of Use:

NW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 3
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, February 5, 2010

PUBLIC NOTICE DATE: Tuesday, January 26, 2010

30 DAY COMMENT DEADLINE DATE: Thursday, February 25, 2010

Mailing List for IR Copies

Application #S-87560

IR Date: January 22, 2010

Original mailed to applicant:

DONALD MCCALL, 3465 TANAGER CIRCLE, CONCORD, CA 94520

Copies sent to:

1. WRD - File # S-87560
2. WRD - Water Availability: Ken Stahr
3. WRD - Regional Manager (not SCR): SW

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

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

4. WRD - Watermaster # 15 (include Division 33 form)
5. ODFW: (include Division 33 form)
6. DEQ: (include Division 33 form)

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

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

7. Department of Agriculture
8. Eugene M. Wobbe, CWRE #225

Caseworker: Brook Geffen

COPYSH.T.IR

REMINDER: Copy **all** IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)