



# 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

MICHAEL SEELY  
18865 HERMO RD  
CLATSKANIE, OR 97016

February 5, 2010

Reference: File S-87567

Dear Mr. Seely:

### **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 1.63 cubic feet per second (CFS) of water from McLean Slough, tributary to Dobbins Slough, for irrigation of 130.0 acres from March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from McLean Slough, tributary to Dobbins Slough for irrigation is allowable under the North Coast Basin Program.
4. Surface water is available in the amount and for the full period requested.

#### Summary of Initial Determinations

**The use of 1.63 CFS from McLean Slough, tributary to Dobbins Slough for irrigation of 130.0 acres is allowable during the full period requested, March 1 through October 31.**

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 19, 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 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. 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](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 503-986-0815 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: Joel Plahn, 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, appearing to read 'Joel Plahn', written in a cursive style.

Joel Plahn  
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-87567  
WAB 1-  
POU 1-  
GW

# APPLICATION FACT SHEET

Application File Number: S-87567

Applicant: MICHAEL SEELY

County: Columbia

Watermaster: 18

Priority Date: January 5, 2010

Source: MCLEAN SLOUGH, TRIBUTARY TO DOBBINS SLOUGH

Use: IRRIGATION OF 130.0 ACRES

Quantity: 1.63 CUBIC FEET PER SECOND

Basin Name & Number: North Coast, #1

Stream Index Reference: Volume 1 COLUMBIA R MISC

Point of Diversion or Well Location(s): SENW, SECTION 33, T8N, R4W, W.M.;450 FEET SOUTH AND 525 FEET WEST FROM NE CORNER, SENW, SECTION 33

Place of Use:

NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  5.0 ACRES  
SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  27.1 ACRES  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  0.6 ACRE  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  12.6 ACRES  
SECTION 28

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  22.7 ACRES  
SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  4.3 ACRES  
NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  38.1 ACRES  
NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  4.3 ACRES  
SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  1.8 ACRES  
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  13.5 ACRES  
SECTION 33

TOWNSHIP 8 NORTH, RANGE 4 WEST, W.M.

**14 DAY STOP PROCESSING DEADLINE DATE: Friday, February 19, 2010**

**PUBLIC NOTICE DATE: Tuesday, February 9, 2010**

**30 DAY COMMENT DEADLINE DATE: Thursday, March 11, 2010**

# Mailing List for IR Copies

Application #S-87567

IR Date: February 5, 2010

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**Original mailed to applicant:**

MICHAEL SEELY , 18865 HERMO RD, CLATSKANIE, OR 97016

Copies sent to:

1. WRD - File # S-87567
2. WRD - Water Availability: Ken Stahr

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

3. WRD -Watermaster # 18 (include Division 33 form)
4. ODFW: (include Division 33 form)
5. DEQ: (include Division 33 form)

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

Caseworker: Joel Plahn

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