



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

May 11, 2007

MIKE PROPE
COUNTY OF POLK
850 MAIN ST, POLK COUNTY BOARD OF COMMISSIONERS
DALLAS, OR 97338

Reference: File S-86827

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 proposed use is not prohibited by law or rule except where otherwise noted below.
2. The application listed both municipal and quasi-municipal uses. Because you are a public corporation, you do not qualify for quasi-municipal use; therefore, only municipal use will be considered.
3. The use of water from Willamette River, a tributary of Columbia River for municipal use 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 25.0 cubic feet per second from Willamette River, a tributary of Columbia River for municipal use 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. This phase is 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 \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, May 25, 2007**. 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. The permittee shall maintain the meter or measuring device in good working order, 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.
 - 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.
2. Within 5 years of permit issuance, the permittee shall submit a Water Management and Conservation Plan consistent with OAR Chapter 690, Division 86. The Director may approve an extension of this time line to complete the required Water Management and

Conservation Plan. The time line for submittal of a plan under this permit does not alter the time lines for submittal of a plan under any other order of the Department.

3. 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 503-986-0859 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: Jeana Eastman, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Jeana Eastman
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-86827
WAB 2-183
POU 2-183
GW

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: S-86827

Applicant: MIKE PROPE COUNTY OF POLK

County: Polk

Watermaster: 16

Priority Date: April 5, 2007

Source: WILLAMETTE RIVER, A TRIBUTARY OF COLUMBIA RIVER

Use: MUNICIPAL USE

Quantity: 25.0 CUBIC FEET PER SECOND

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 26 WILLAMETTE R & TRIBS

Point of Diversion or Well Location(s):

POD 1: SESW, SECTION 23, T9S, R4W, W.M.;450 FEET NORTH AND 1565 FEET EAST FROM SW CORNER, SECTION 23

POD 2: SWSE, SECTION 11, T8S, R4W, W.M.;940 FEET NORTH AND 3741 FEET EAST FROM SW CORNER, SECTION 11

Place of Use: ALL OF POLK COUNTY

14 DAY STOP PROCESSING DEADLINE DATE: Friday, May 25, 2007

PUBLIC NOTICE DATE: Tuesday, May 15, 2007

30 DAY COMMENT DEADLINE DATE: Thursday, June 14, 2007

Mailing List for IR Copies

Application #S-86827

IR Date: May 11, 2007

Original mailed to:

Applicant: COUNTY OF POLK, 850 MAIN ST, POLK COUNTY BOARD OF COMMISSIONERS, DALLAS, OR 97338

Copies sent to:

1. WRD - File # S-86827
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager: WESTERN
4. WRD - Watermaster # 16 (include Division 33 form)
5. ODFW: Karen Hans (include Division 33 form)
6. DEQ: Nancy Gramlich (include Division 33 form)
7. Department of Agriculture

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

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

Caseworker: Jeana Eastman

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