

ODFW PUBLIC INTEREST REVIEW SHEET

Application #: S-87539 Applicant's Name: WHITEWATER RANCH LLC and MCKENZIE RIVER RANCH LLC

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

NO (Sign form and return)

YES Species: Cutthroat trout

Other: _____

Stage or value at risk (check all that apply): Spawning, Incubation Rearing Passage Habitat Value

2) Will the proposed use result in a loss of habitat? NO YES

3) Can conditions be applied to mitigate the impact to the loss of habitat? NO YES

Which conditions are recommended? (select from Menu of Conditions) fishapprove

 In addition, ODFW recommends that adequate instream flow for fish rearing, passage and spawning should be provided downstream from the point of diversion. Cutthroat trout populations in the McKenzie River are dependant on tributary streams such as Goose Creek for reproduction and rearing during their first 1-3 years of life. Efforts should be made to provide adequate rearing habitat, especially during the dry months of the year.

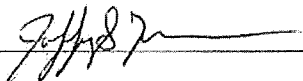
4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? NO YES

If YES, please explain: Cutthroat trout populations in the McKenzie River are dependant on tributary streams such as Goose Creek for reproduction and rearing during their first 1-3 years of life. Upstream and downstream passage is critical to maintaining these populations especially November through April for adults and November through May for juveniles. Approximately 1.2 miles of rearing habitat will be affected downstream from this point of diversion.

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions)

 fishapprove _____

6) Your recommendation: Approval with conditions
 Approval without conditions
 Denial

ODFW Representative signature:  Date: 3/16/10

WRD Contact: Caseworker: _____, Water Rights Division, 503-986-0900 / Fax 503-986-0901