

Division 33 Application Work Sheet — Human Consumption Exception

Date: 05/13/10

Application #: S-87592

Applicant's Name: Ron La Franchi; Agent information: John P. Drolet

Background

The Water Resources Department is attempting to streamline the review of water right applications involving a human consumption exception under Division 33. Oregon statute and administrative rules (OAR 690-410-0070(2) and OAR 690-310-0260(2)) allow for a human consumption exception at 0.005 cubic foot per second when water is not available due to senior water rights and/or scenic waterway flows. Under certain circumstances the use may be allowed because human consumption can be considered a high public use if no reasonable alternatives are available, and the use is conditioned to protect instream values. The information required for an applicant to request an exception is:

- 1) demonstrate that there are no reasonable alternative sources; and
- 2) demonstrate that denial of the application would result in loss of reasonable expectations for use of the property

Department recommendation

If the applicant is able to meet the human consumption exception criteria described above, based on water availability, applicable basin rules, etc., the Department will likely recommend year-round human consumption use (see Initial Review for specific use/rate/season details).

Your Role

Do you concur with the likely Department recommendation described in the Initial Review? If not, what is your recommendation and why?

YES NO

Explain (use additional sheets if necessary):

I visited with John Drolet, the agent assisting Mr. Franchi with obtaining a human consumption water right for his home. After assessing the maps and visiting the mouth of Mill Creek, the stream that water will be obtained from, it became evident that all points of diversion are upstream of where any fish use would occur. There remains concern for aquatic wildlife (amphibians, etc.), however, and the department recommends that all collection points have a screening device. The screen mesh hole diameter should not exceed 3/32".

Name/Signature: Christopher W. Claire Date: 04/13/10

WRD Contact: Caseworker: _____, Water Rights Division
503-986-0800 / Fax: 503-986-0901

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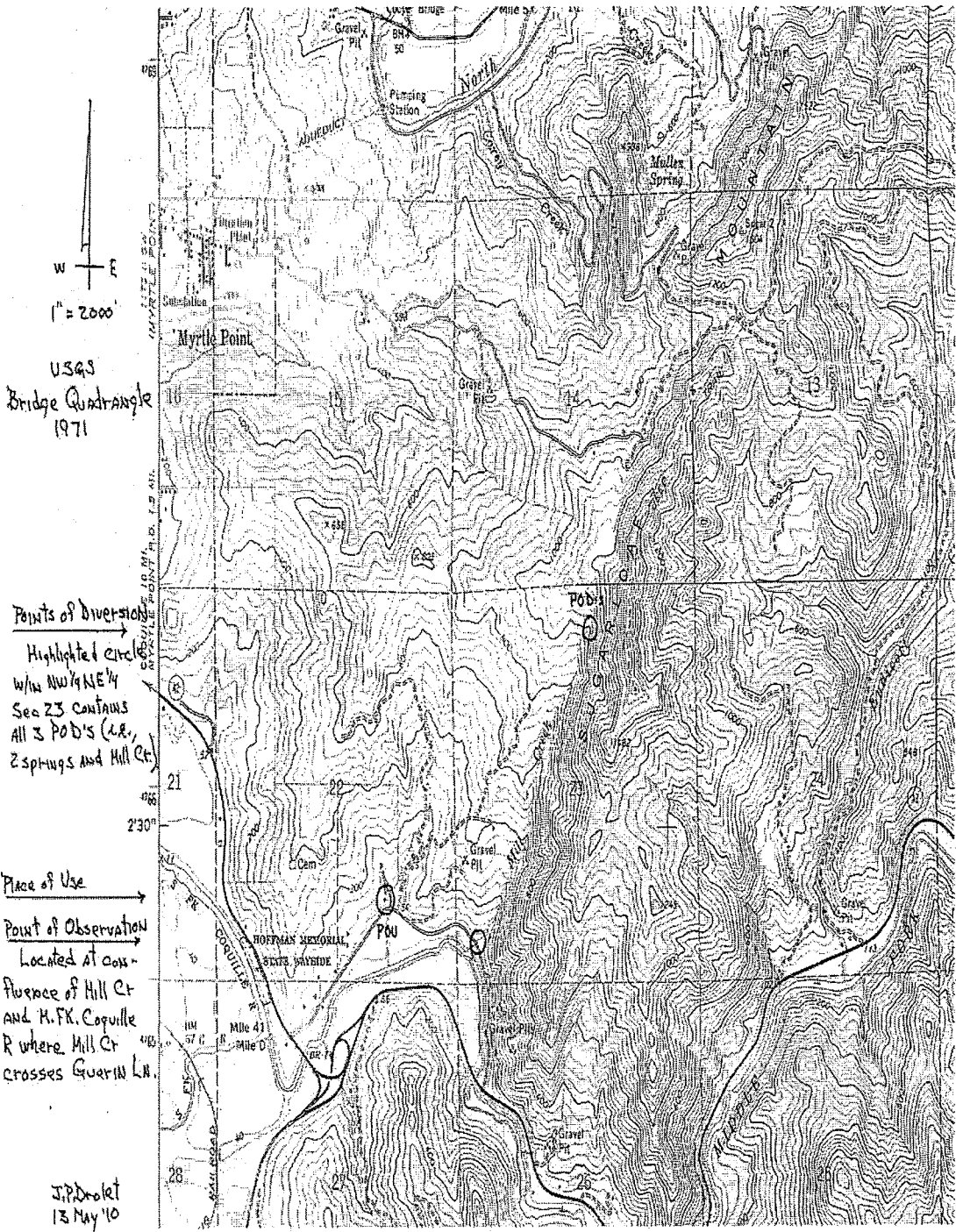
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WATER



John P. Drolet
59971 Fairview Rd
Coquille, OR 97423

13 May '10

Ref: Application # S-87592
La Franchi

Christopher W. Claire
Assistant District Fish Biologist
63538 Boat Basin Drive
Charleston, OR 97420

Dear Mr. Claire:

Thank you for taking the time to meet with me yesterday morning at the confluence of Mill Creek and M.Fk. Coquille River where Mill Creek is culverted under old State Highway 42. The intent of our visit to the site was to provide you with the opportunity to observe Mill Creek prior to your required input to OWRD regarding Mr. La Franchi's above referenced pending water right application.

Per your request from yesterday morning, please find attached a portion of an annotated USGS Bridge quadrangle showing:

- the location of all three Points of Diversion within the yellow highlighted circle in the NW NE of Sec 23
- the location of the Place of Use--the yellow Victorian ranch house, and
- the confluence of Mill Creek and M. Fk. Coquille River where Mill Creek crosses Guerin Lane (old Highway 42).

During our observation of Mill Creek yesterday, you indicated that it likely would not be necessary for you to perform an inspection of the POD's.

If I may provide you with additional information, please get in touch.

Again, thank you for meeting with me yesterday.

Regards,



John P. Drolet

JPD/dt

atch: annotated USGS map

CF: Fred Carleton, w/atch

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