

DEQ Division 33 Application Work Sheet — Human Consumption Exception

Date: Nov. 3, 2011

Application #: S- 87757

Applicant's Name: Clatie B Smith

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):

Division 33 conditions: fishself, b57, riparian

Name/Signature: Todd Confer

Date: 11-3-11

WRD Contact: Caseworker: Kerry Kavanagh
986-0901

Water Rights Division 503-986-0800 / Fax: 503-

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WATER RESOURCES DEPT
SALEM, OREGON

Kerry Kavanagh

From: Todd Confer [todd.a.confer@state.or.us]

Sent: Thursday, November 03, 2011 10:13 AM

To: KAVANAGH Kerry L

Subject: Div 33 Review

Attachments: ClatieSmith.pdf

Human Consumption Exception for S-87757

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