



Oregon

John A. Kitzhaber, MD, 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

February 17, 2012

PERRY PARMELEE
90397 HWY 140 W
LAKEVIEW, OR 97630

Reference: File S-87725

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 an 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 0.12 cubic foot per second (CFS) of water from an unnamed spring/stream, a tributary of Muddy Creek, for year-round pond maintenance for Parmelee Reservoir, constructed under Permit R-10623.
2. The Department determined the source is likely a spring/unnamed stream that flows into a ditch and is a tributary of Antelope Creek. Therefore, the source will be described as "a spring/unnamed stream (via a ditch), a tributary of Antelope Creek". If you disagree with this determination, please provide an explanation/map/etc. by Thursday, March 22, 2012, to help the Department better understand the source of the water.
3. The proposed use is not prohibited by law or rule except where otherwise noted below.
4. The use of water from a spring/unnamed stream (via a ditch), a tributary of Antelope Creek, for year-round pond maintenance is allowable under the Goose & Summer Lake Basin Program.
5. Surface water is available during the period February 1 through March 31 of each year.
6. The standard allowable rate of water necessary for pond maintenance is 0.01 CFS for each acre foot of stored water. If the application is approved, the rate allowed will be limited to 0.03 CFS for pond maintenance for Parmelee Reservoir, constructed under Permit R-10623, which stores up to 3.0 acre feet of water.

Summary of Initial Determinations

The use of 0.03 CFS from a spring/unnamed stream (via a ditch), a tributary of Antelope Creek, for pond maintenance for Parmelee Reservoir, constructed under Permit R-10623, may be allowed February 1 through March 31 of each year.

Because of the Department's determination, your application can be moved to the next phase of the water-rights application review process, where public interest factors will be evaluated. However, due to **#5 and #6** above, your application will likely be limited accordingly.

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.

At this time, you must decide whether to proceed or to withdraw your application as described below.

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, March 2, 2012**. For your convenience you may use the enclosed "STOP PROCESSING" form.

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.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. The Director may require the permittee to install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. If the Director notifies the permittee to install a totalizing flow meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water diverted, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit.
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 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-87725

WAB 13-31300**113** (antelope cr > goose l @ mouth)

POU 13-31300**103** (cottonwood cr > thomas cr @ mouth)

GW

APPLICATION FACT SHEET

Application File Number: S-87725

Applicant: PERRY PARMELEE

County: Lake

Watermaster: 12

Priority Date: May 19, 2011

Source: A SPRING/UNNAMED STREAM (VIA A DITCH), A TRIBUTARY OF ANTELOPE CREEK

Use: POND MAINTENANCE

Quantity: 0.12 CUBIC FOOT PER SECOND

Basin Name & Number: Goose & Summer Lake, #13

Stream Index Reference: Volume 1 GOOSE LAKE & MISC

Point of Diversion or Well Location(s): SENE, SECTION 14, T39S, R18E, W.M.; 3280 FEET NORTH AND 500 FEET WEST FROM SE CORNER, SECTION 14

Place of Use:

SE ¼ NE ¼
SECTION 14
TOWNSHIP 39 SOUTH, RANGE 18 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 2, 2012

PUBLIC NOTICE DATE: Tuesday, February 21, 2012

30 DAY COMMENT DEADLINE DATE: Thursday, March 22, 2012

Mailing List for IR Copies

Application #S-87725

IR Date : February 17, 2012

Original mailed to applicant:

PERRY PARMELEE , 90397 HWY 140 W, LAKEVIEW, OR 97630

Copies sent to:

1. WRD - File # S-87725
2. WRD - Water Availability: Ken Stahr

Copies Mailed

By: _____
(SUPPORT STAFF)

on: _____
(DATE)

VIA EMAIL:

3. WRD - Watermaster # 12 (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

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

1. Glender, Dennis
Glender's Hydro Tech Services, 8664 SW Sand Ridge Rd, Crooked River Ranch OR 97760

Caseworker: Jeana Eastman

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