



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 15, 2015

SCOTT A OR CINDY MCGINNIS
1638 DEL RIO RD
ROSEBURG, OR 97471

Reference: File S-88075

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 0.01 cubic foot per second (CFS) of water from North Umpqua River, a tributary of Umpqua River, for year-round domestic use expanded for one household.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from North Umpqua River, a tributary of Umpqua River, for domestic use expanded for one household is allowable under the Umpqua Basin Program (OAR 690-516-0005).
4. An assessment of water availability has been completed, a copy of which is in the file. This assessment compared a calculation of natural streamflow minus the consumptive portion of all relevant rights of record. The assessment determined water is not available for further appropriation (at 80 percent exceedance probability) because water has been fully appropriated by senior water rights. However, pursuant to a settlement agreement entered into by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, and Douglas County, seven (7) CFS of additional water is available for human consumption, domestic, domestic expanded, industrial, commercial, irrigation, and agricultural use. As of the date of this application, 1.20 CFS of the total 4.0 CFS for human consumption, domestic, or domestic use expanded has been appropriated.
5. The proposed diversion falls within a high priority area for streamflow restoration under the Oregon Plan for Salmon & Watersheds.
6. The application is subject to Section 4(d) of the Endangered Species Act.

Summary of Initial Determinations

The use of 0.01 CFS of water from North Umpqua River, a tributary of Umpqua River, for year-round domestic use expanded for one household is allowable.

Because of these favorable determinations, the Department can now move the application to the next phase of the water-rights application review process, 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 the application, you do not have to notify the Department. The 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 \$225 processing charge per application). To accomplish this you must notify the Department in writing by **Friday, May 29, 2015**. 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 devices, and recording/reporting of annual water use conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter as approved by the Director, at each point of diversion. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the 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.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

- 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

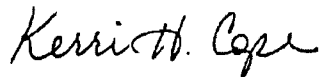
be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

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/programs/NaturalResources/Pages/AgWaterQuality.aspx> 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 503-986-0806 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: Kerri H. Cope, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Kerri H. Cope
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

S-88075
WAB 16-71174
POU 16-71174
GW

APPLICATION FACT SHEET

Application File Number: S-88075

Applicant: SCOTT A OR CINDY MCGINNIS

County: Douglas

Watermaster: 15

Priority Date: April 27, 2015

Source: NORTH UMPQUA RIVER, A TRIBUTARY OF UMPQUA RIVER

Use: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD

Quantity: 0.01 CUBIC FOOT PER SECOND

Basin Name & Number: Umpqua, #16

Stream Index Reference: Volume 2A N UMPQUA R

Point of Diversion: NWNE, SECTION 23, T26S, R6W, W.M.; 900 FEET SOUTH AND 1900 FEET WEST FROM NE CORNER, SECTION 23

Place of Use:

NW $\frac{1}{4}$ NE $\frac{1}{4}$
SECTION 23
TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, May 29, 2015

PUBLIC NOTICE DATE: Tuesday, May 19, 2015

30 DAY COMMENT DEADLINE DATE: Thursday, June 18, 2015