

DEQ Division 33 Application Work Sheet — Human Consumption Exception

Date: 12/2/15

Application #: S- 88091

Applicant's Name: Michael Hamilton

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):

"Surface water is not available in the amount requested during the entire period requested. However, you provided additional information for the Department to consider human consumption use (indoor use only: cooking, drinking, and sanitation), which would be limited to 500 gallons per day. We will work with the Oregon Department of Fish and Wildlife to attempt to determine conditions which will protect instream values during the months when instream flow requirements are not met. These conditions may include mitigation measures to offset the impact of the requested use. This information will be evaluated at the next step in the application process."

Recommend OWRD require the applicant to trade irrigation water rights for drinking water rights. Require a flow meter to ensure the applicant is following use restrictions.

Name/Signature: Heather Tugaw

Date: 12/2/2015

WRD Contact: Caseworker: Kim French Water Rights Division 503-986-0800 / Fax: 503-986-0901