

WATERMASTER Division 33 Application Work Sheet

Human Consumption Exception

Date: 7-11-2016
Application #: S- 88228
Applicant's Name: John + Ruth Law

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):

Name/Signature:

Date:

WRD Contact: Caseworker:

Water Rights Division 503-986-0800 / Fax: 503-986-0901

Kathy Smith
Kathy Smith, 7-11-2016
Watermaster District
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WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: S 58228 Applicant's Name: John + Ruth Law

1) Does the affected surface water source flow above ground in a defined channel into another water body?

YES NO SOMETIMES; between and

2) Does the affected surface water source ever go dry in the area of the proposed diversion? YES NO

3) To your knowledge, has the affected surface water source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights? YES NO

If YES, please explain:

4) Do you agree with the specified water availability, and the recommended period of use? YES NO I DON'T KNOW

If NO, please explain:

5) Did you discuss this application with staff from another agency? YES NO

Who: Agency: Date:

6) If the Initial Review is unfavorable, is mitigation an option? YES NO

If YES, please explain:

7) What conditions do you recommend?

8) Your recommendation under OAR 690-033-0330 (2): Approval with conditions
 Approval without conditions
 Denial

Watermaster Signature: Date: *Kathy Small* 7-11-2016

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901