

May 19, 1995

Dwight French, Manager
Water Rights Division
Water Resources Department
158 12th Street, Northeast
Salem, Oregon 97310

REC-111
MAY 23 1995
WATER RESOURCES
SALEM, OREGON

DEPARTMENT OF
ENVIRONMENTAL
QUALITY

Re: Response to Technical Evaluation of Water Right Applications
for the South Umpqua River

File: R80152
Source: runoff
Flow: 0.10 AF
Use: Livestock

File: R80167
Source: Bushnell Creek
Flow: 1.0 AF
Use: Mining

File: 78715 BLM
Source: unnamed stream off Cow
Creek
Flow: 8.01 gpm
Use: fire and road

File: 80166
Source: Bushnell Creek
Flow: 0.07 cfs
Use: mining

File: 78837 BLM
Source: unnamed stream off Elk
Creek
Flow: 110.02 gpm
Use: fire and road

File: R80200
Source: springs
Flow: 5.0 AF
Use: sawmill and irrigation

File: 78839 BLM
Source: unnamed stream off
Bear Creek
Flow: 8.01 gpm
Use: fire and road

File: R80207
Source: two springs off
Elgarose Creek
Flow: 31.0 AF
Use: irrigation, livestock
and wildlife

File: 78861 BLM
Source: unnamed stream off
Blackhorse Creek
Flow: 10.01 gpm
Use: fire and road

File: 80204
Source: Galseville Reservoir
Flow: 23.7 AF
Use: irrigation

File: 78855 BLM
Source: unnamed stream off
Negro Creek
Flow: 12.02 gpm
Use: fire and road

File: 80208
Source: five springs
Flow: 0.2 cfs
Use: irrigation, livestock
and domestic



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DEQ-1



Dear Mr. French:

The Department has completed its review of the above referenced Technical Reviews of water rights applications. The drainage basin in which these applications are located has been identified as water quality limited by the Department. The estimated low flow normally occurs during the summer period of May 1st to October 31st of each year. The Department's analysis of water quality indicates that during periods of low flow, water quality problems exist.

These applications propose additional out of stream use of water which if granted would reduce available instream flows during the seasonal low flow period, thus increasing the likelihood of already identified water quality problems in this drainage basin. The Department recommends limiting the pond or reservoir water rights to high flow if it is available, and requests that this be verified with a meter when 2.0 acre feet or more are impounded. Large reservoirs covering 5 or more acres will need a DEQ stormwater permit to control runoff.

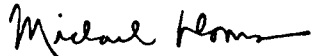
The Department requests that for pollution prevention a farm management plan be developed to address water quality issues, including: 1) possible herbicide and pesticide use in the vicinity of the pond or reservoir; 2) an erosion (sediment) plan with buffer strips; 3) a nutrient plan to prevent nitrate runoff into surface and groundwater; 4) potential flooding of the pond or reservoir if located in the 100 year floodplain with subsequent contaminant release; 5) riparian restoration and 6) a way to keep stock out of the stream.

If the pond, reservoir or diversion is designed for stock watering, operators are encouraged to establish off channel watering sites. The standard .005 Cfs or 3.62 AF per head is to be applied in requesting water. Metering for stock water is not needed. Any system established in freeze zones or other situations where water may have to be left running should provide a closed loop return system, which would allow any overflow water to return to the stream. A non point source pollution control management plan needs to be developed or the area fenced and the riparian zone replanted. In this case with these stipulations the Department would support WRD permits for year round flow in a TMDL basin.

Page 3

If you have questions or wish to discuss this issue further, please feel free to contact Barbara Priest (503-229-5945) of my staff.

Sincerely,



Michael Downs
Administrator
Water Quality Division

MD:bjp:crw

SA\WC13\WC13469

cc: Denise Troxel, NRCS
Kimberly Priestly, Waterwatch