

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BENTON COUNTY

IN THE MATTER OF)
THE WITHDRAWAL OF) ORDER
MITIGATION ORDER)

The following Mitigation Order for Notice of Exempt Reservoir is withdrawn by the Department. Based upon information from the Oregon Department of Fish and Wildlife, the Department has determined that the Mitigation Order is not necessary.

<u>POND REGISTRANT</u>	<u>FILE #</u>	<u>BASIN #</u>
Harold L. Hansen, McFarland Enterprises Inc.	P-82632	2

It is ORDERED that the Mitigation Order is of no further force or effect.

Dated at Salem, Oregon this 6th Day of October, 1998.

Martha O. Pagel for

Martha O. Pagel
DIRECTOR

Special Order Volume 52, Page 882

Bernie Kepshire

10/16/98

McFarland Enterprises has the right to store water under Filing P 82632 in pond which is exempt from requiring a permit. Water Resources does not require a fish screen.

Dallas Miller

copy sent to [unclear] [unclear]

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BENTON COUNTY

IN THE MATTER OF)
THE WITHDRAWAL OF)
MITIGATION ORDER)

ORDER

The following Mitigation Order for Notice of Exempt Reservoir is withdrawn by the Department. Based upon information from the Oregon Department of Fish and Wildlife, the Department has determined that the Mitigation Order is not necessary.

<u>POND REGISTRANT</u>	<u>FILE #</u>	<u>BASIN #</u>
Harold L. Hansen, McFarland Enterprises Inc.	P-82632	2

It is ORDERED that the Mitigation Order is of no further force or effect.

Dated at Salem, Oregon this 6th Day of October, 1998.



Martha O. Pagel
DIRECTOR

Special Order Volume 52, Page 882

copy sent → ODFW + applicant

MEMO

DATE: January 21, 1998
TO: DWIGHT FRENCH
FROM: LAURA SNEDAKER
SUBJECT: Pond File P-82632

I returned a phone call made to you from Harold Hansen. Mr. Hansen, per our discussion, is currently working with ODFW to install fish screens on the reservoir. However, the condition that ODFW identified, in a letter to the Department, identified that bypass devices were necessary. Mr. Hansen would like you to call Bernie Kepshire, Screen Specialist with ODFW, regarding Mr. Hansen's situation. Mr. Hansen, I believe, is hoping that this issue can be resolved through your discussing the situation with Mr. Kepshire. According to Mr. Hansen it was Mr. Kepshires request that you call him.

According to Mr. Kepshire the pond is at the end of a ditch and there is no where to bypass to.

I further discussed with Mr. Hansen the condition identified in the Mitigation Order. I let him know that it may be possible to resolve this issue by having ODFW submit a letter indicating that bypass devices would not be necessary or that he may need to request a contested case hearing and have the issue resolved through that process.

Mr. Hansen would like a call back after you talk with Mr. Kepshire about what he needs to do next, if anything.

Bernie Kepshire = 1 (541) 757-4186

P. 82632 Dwight talked to Bernie
1/21/98
• WRD to WD order
• ODFW says screens are all that are needed and he's complying w/ that. No bypass needed.
cc of order to Bernie Kepshire ODFW Corvallis



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 16, 1998

MCFARLAND ENTERPRISES INC.
HAROLD L. HANSEN
122 GLENWOOD COURT
OREGON CITY, OR 97045

Reference: File P-82632

Dear Applicant:

Thank you for your continuing efforts in our program for authorizing exemptions for existing ponds and reservoirs. We know it has been a long and complicated process, and we appreciate your cooperation.

As indicated in our letters to you last November, we had previously received written comments indicating that your reservoir could be detrimental to fish or might cause injury to other water rights. You were provided an opportunity to submit additional information addressing those comments.

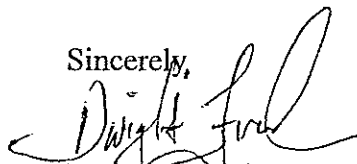
Since then, we have reviewed all the information available to us, and have determined that certain conditions are necessary to mitigate the potential harm to fish or other water rights. The enclosed Mitigation Order spells out the additional conditions we are proposing.

If you agree with these conditions, and comply with the Mitigation Order, the process will be complete.

If you disagree with this order, you may request a contested case hearing, and submit in writing your reasons why the order should be changed or rescinded. You may wish to submit maps or sketches to help us to better understand the particulars of your situation. Once we receive your request for a contested case hearing, we will contact you to discuss the situation and how we might be able to settle disagreements without holding a hearing. If we are unable to agree on a solution, we will schedule a contested case hearing at a time that is agreeable to both you and the Department. The appeal rights are described in more detail in the order enclosed.

Once again, thank you for your participation in this program. If you have any questions please call one of the water rights staff listed below. My extension number is 268.

Sincerely,



Dwight French

Water Rights Section Manager

Enclosures

cc: Watermaster

Russ Klassen 1-800-624-3199 Ext 266

Laura Snedaker Ext 331

Dallas Miller Ext 272

Oregon Water Resources Department
Water Rights Division

Notice of Existing Reservoir
Number P-82632

Reservoir Mitigation Order

Application History

A reservoir was constructed prior to January 1, 1995. As evidence of the right to store water, pursuant to ORS 537.405(2) (a), notice of existing reservoir was submitted.

Pursuant to ORS 537.405(4) (a) the Department has received information from Oregon Department of Fish and Wildlife demonstrating that the reservoir poses a significant detrimental impact to existing fishery resources.

ORS 537.405(7) specifies that "...the director shall require the owner of the reservoir to take appropriate action to mitigate injury to existing water rights or impact to the existing fishery resource."

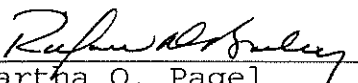
Therefore, the Department has determined that with the following additional mitigation condition(s), the injury to existing water rights and/or detrimental impact to existing fishery resources, described above, will be mitigated.

Order

In accordance with ORS 498.268 and ORS 509.605, install, maintain, and operate bypass devices as required by the Oregon Department of Fish and Wildlife that will provide adequate upstream passage for fish.

Therefore, pursuant to ORS 537.405, the use evidenced by notice of existing reservoir number P-82632, shall be allowed to continue if the injury/negative impact of the reservoir is mitigated as described above.

DATED January 16, 1998


Martha O. Pagel
Director

Notice of Right to Contested Case Hearing

The owner of the reservoir that is the subject of this mitigation order may request a contested case hearing if the owner disagrees with the order. Most disagreements are settled through a series of informal discussions before the hearing date arrives.

If the department does not receive a request for hearing within the time stated in this notice you have waived your right to a hearing under ORS Chapter 183, unless your failure to request a hearing was beyond your reasonable control, as provided in OAR 137-03-075.

The record of this proceeding to date, including information in Department files on the subject of this proceeding, is automatically part of the contested case record upon default for the purpose of proving a prima facie case.

In order to process your request for a contested case hearing please include the following in writing:

- The reference number (located near the top right corner of the order.);
- Your name, address, and telephone number;
- A detailed description of why the condition(s) proposed in this order is not necessary to protect existing water rights or fishery resources;
- Any citation of legal authority to support your protest, if known.

Your request for a contested case hearing must be received by the Department no later than 60 days after the date of this order.

Send your request for a contested case hearing to:

Ponds Program Appeals
Water Rights Section
Oregon Water Resource Department
158 12th ST NE
Salem OR 97310

Mailing List for MO Copies

Application P-82632

MO Date January 6, 1998

Original mailed to:

Applicant: Is there a new address? Y _____

1. WRD - File # P-82632
2. WRD - Watermaster # 16
3. WRD - Regional Manager (not Bob Main): NWR

Copies Mailed
By: _____
(SUPPORT STAFF)
on: _____
(DATE)

Other Commenters:

4. ODFW District Biologist: Steve Marroyac
5. WaterWatch of Oregon: Y _____
6. Other Commenters Y _____

Other Interested Persons (CWRE, Agent, etc.)

7. _____
8. _____
9. _____
10. _____

CASEWORKER:

Information Below This For Mitigation Team Use Only

SMBS SMSS BPC KR1 KR2 J BSD BSD2 1A MD
MD1 MD2 MD3 B57 B58 BYPASS B51A Basin 2

RECEIVED
DEC 11 1997
WATER RESOURCES DEPT.
SALEM, OREGON

Harold L. Hansen
Secretary/Representative
McFarland Enterprises, Inc.
122 Glenwood Court
Oregon City, Oregon 97045
December 8, 1997

Water Resources Department
Commerce Building
158 12th Street NE
Salem, Oregon 97310-0210

This letter is in reference to File #P-82632 which includes HB 2153 Certificate/HB2376 Notice reviewed where we filed for Notice of Exempt Reservoir under ORS 537.405. It is also acknowledgment of your letters to me dated November 10, and November 20, 1997.

We are in agreement with mitigation measures (conditions) for our reservoir site proposed by Oregon Department of Fish and Wildlife to alleviate damage to cutthroat trout in Muddy Creek (see attached copy of letter from ODFW, dated December 1, 1997).

It is our intention to work closely with the ODFW Screening Specialist to properly screen our intake structures so that our reservoir will qualify for exemption.

Obviously we will require some lead time to do the work as the ground needs to be firm to move heavy equipment on site.

Again, we plan to work closely with ODFW, as previously mentioned. When our screening measures are in compliance to their specifications, we plan to notify you so that our reservoir will qualify for exemption.

Thank you for allowing us to comment on this important issue.

Sincerely yours,



Harold L. Hansen
Secretary/Representative
McFarland Enterprises, Inc.

Enclosure



Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife
Northwest Regional Office
7118 NE Vandenberg Ave.
Corvallis, OR 97330-9446
(541) 757-4186
FAX (541) 757-4252

DECEMBER 1, 1997



RECEIVED

DEC 11 1997

**WATER RESOURCES DEPT.
SALEM, OREGON**

Harold Hansen
122 Glenwood Court
Oregon City, OR 97045

RE: HB 2153 Certificate/HB 2376 Notice reviewed

File # P-82632

Dear Mr. Hansen,

Thank you for the tour of your duck club property on November 14th for which you filed a Notice of Exempt Reservoir to the Oregon Water Resources Department.

After reviewing your application and visiting your two water withdrawal sites, we are concerned that cutthroat trout movement in Muddy Creek may allow for them to enter the two sloughs from which you withdraw water and would allow them to be trapped. It is our determination that both water withdrawal sites be screened.

I will have Bernie Kepshire, our fish screening specialist, give you a call. He may be of some assistance in determining what screens will work best.

Please notify Water Resources of our findings and attach a copy of this letter to your response to them.

Thanks again for your patience and on site visit. Please call me in Corvallis at (541) 757-4186 if you have any additional questions.

Sincerely,

Mark Nusom
Fisheries Technician

c: Rick Kruger, HCD



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

November 20, 1997

HAROLD L HANSEN
MCFARLAND ENTERPRISES INC.
122 GLENWOOD COURT
OREGON CITY, OR 97045

REFERENCE: FILE#: P 82632

Dear Mr. Hansen,

I want to apologize for any confusion which may have resulted from the letter we sent to you about a week ago. I hope this follow-up letter will better explain our "ponds" program, and give you a clearer picture of what is happening with your pond.

In 1995, the legislature adopted a new law intended to help address a legal problem with many existing ponds throughout the state. These ponds had been developed over the years by land owners who were not aware that water rights may have been required. In order to make sure that all the ponds were "legal" the legislature approved HB 2376 in 1995, which set out a process for filing a notice of the pond with our department. Under the law, such notices could be filed until January 31, 1997. Our job was then to determine whether any of the ponds resulted in injury to other existing water rights, or created a detrimental impact on fish.

This simplified review process was intended to make it easier for the owners of existing ponds to receive final water right certificates. The 1995 law also required that we provide a comment period, which ended on August 1, 1997. During this time, we were required to accept comments as to whether a pond may in fact be resulting in injury to other water rights or creating a detrimental impact to fish. After the close of that comment period, our department was given 180 days in which to evaluate the comments, give notice to the pond owners, and identify whether mitigation measures would be required to alleviate the injury to other water rights or impacts to fish.

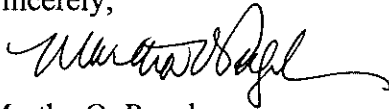
This is why you received a letter from us last week. For more than 16,000 ponds on which notices were filed under HB 2376, about 960 comments were received. From those comments, we determined that about half would appear to require mitigation measures. A total of 450 letters were sent out last week to pond owners like you.

The purpose of these letters was to advise you that the comments had been received, and to provide you with an opportunity to get back to us with any information you might have to show that the mitigation should not be required — either because you disagree with the comment that we received, or because you have a better idea of how to remedy the situation.

The letter you received included a copy of the comments we received about your pond, along with our proposed mitigation plan. We need to hear from you by December 10, 1997, as to whether you disagree with the underlying comment or with our proposed mitigation. We do encourage you to get back to us by the deadline, and we will make every effort to accommodate your suggestions.

Again, I offer my sincere apology for any confusion or irritation caused by our earlier letter. I hope this letter provides additional background information that will help you respond to the questions about your pond. If you have questions about this process, please let us know. I urge you to call our Water Rights Information staff at 1-800-624-3199 extension 499. In some circumstances they may also involve your local Watermaster for additional help. We will try our best to work through this with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha O. Pagel".

Martha O. Pagel
Director

m:955



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

November 10, 1997

FILE#: P 82632

McFARLAND ENTERPRISES INC. ; HANSEN, HAI
122 GLENWOOD COURT
OREGON CITY, OR 97045

Dear Reservoir Owner,

You submitted a Notice of Exempt Reservoir under *ORS 537.405 (HB 2376)*. HB 2376 provided an opportunity for the Oregon Department of Fish and Wildlife to comment on how a specific reservoir(s) caused injury to an existing fishery resource. In addition the same law allowed members of the public to comment on how the storage or use of the water caused an injury to an existing water right. This comment period ended on August 1, 1997.

The Department received the attached injury allegation(s) related to your reservoir(s), as provided for in ORS 537.405. If you do not agree with the allegation of injury, please submit detailed information to the Department explaining why or how the allegation is in error. Your response must be postmarked no later than *December 10, 1997*.

The Department will review any submission you may make and determine if a Mitigation Order is required. If the Department finds that the allegation is factual and verifiable, the Department will issue a Mitigation Order requiring that the attached conditions, or other conditions that prove to be necessary after reviewing any information that is submitted, be met in order for the reservoir to maintain an exempt status.

If you receive a Mitigation Order, you may request a Contested Case Hearing to contest the findings of the Department and the allegation of injury. Information on how to request a Contested Case Hearing will be provided with the mitigation order, if issued.

If you have any questions, please call the Water Rights Information Group at (503) 378-3739 extension. 499.

Water Right Section

MITIGATION CONDITIONS

File # P- 82632
Date 11-7-97
ML

Oregon Department of Fish and Wildlife Conditions

- In accordance with ORS 498.268 and ORS 509.605, install, maintain, and operate bypass devices as required by the Oregon Department of Fish and Wildlife that will provide adequate upstream passage for fish. (SMBS)
- Install, maintain, and operate fish screening devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion. (SMSS)
- The reservoir owner is required to by-pass flows from _____ through _____ (BPC)

Water Right Related Conditions

- The pond may be filled one time only per year. No diversion of water to storage can occur during times all water rights are not met on the John Day river System. (KR1)
- If required by the Watermaster, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Watermaster (Department). (KR2)
- Live stream flow must be passed when required to satisfy existing water rights. In order to substantiate live flow is being passed, measuring devices may be required. (J)
- Live flow must be by-passed all year. (BSD)
- Any secondary use of stored water is limited each year to the capacity of the reservoir. (BSD2)
- The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

RECEIVED

AUG 01 1997

WATER RESOURCES DEPT.
SALEM, OREGON

**WATERMASTER COMMENTS FOR
HB 2153 CERTIFICATES
HB 2376 NOTICES**

Asst Watermaster Name J. Trump
Date 7/30/97

Please attach copy of HB 2153 Certificate.

HB 2376 Notice of Exempt Reservoir Application # P 82632

**Attach additional sheets if necessary.

Please specify which reservoir(s)/ponds(s) the comments pertain to:

Describe by name, number or Township Range Section and 1/4 1/4 if necessary. If comments refer to all reservoir listed please specify. Please provide enough information to accurately describe which reservoir the comment(s) pertains to.

McInland Enterprises Pond

Does the reservoir/pond cause injury to an existing water right? Specify which water right and the evidence which supports that finding. *Please describe for each reservoir listed above. If the water right and the supporting evidence are the same please indicate.*

No.

*****SEE BACK OF PAGE FOR LIST OF CONDITIONS TO MITIGATE INJURY*****

Which of the following conditions are required to mitigate the described injury?

(1)

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

(2)

The following provision for a measuring device shall be effective:

- (a) the pump system shall include an access port for measuring the water level;
- (b) the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the user is entitled;
- (c) the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said Watermaster.

(3)

A totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645.

(4)

A staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed.

*Please specify whether the installation of the weir(s) will provide no public benefit.

(5)

Live stream flow must be by-passed between _____ and _____.

(6)

The period of use has been limited to _____ through _____.

Other (Please specify below)



Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

Northwest Regional Office
7118 NE Vandenberg Ave.
Corvallis, OR 97330-9446
(541) 757-4186
FAX (541) 757-4252

July 31, 1997



Water Rights Section
Water Resources Department
158 12th Street NE
Salem, OR 97310

RECEIVED

JUL 31 1997

**WATER RESOURCES DEPT.
SALEM, OREGON**

RE: HB 2153 Certificate/HB 2376 Notice Review
File # P-82632

ODFW has determined that the subject reservoir(s) cause a detrimental impact on existing fish resources, specifically native cutthroat trout, because it precludes the adequate upstream passage of fish in Muddy Creek.

This assessment is based on the information provided in the application and our knowledge, based on past documentation of fish and/or habitat resources in the affected stream reach. Therefore, ODFW requests that WRD require the reservoir owner to complete the following actions in order for the subject reservoir(s) to maintain exempt status:

In accordance with ORS 498.268 and ORS 509.605, install, maintain, and operate bypass devices as required by the Oregon Department of Fish and Wildlife that will provide adequate upstream passage for fish.

Thank you for the opportunity to comment.

Sincerely,

For Steven R. Mamoyac
District Fish Biologist

cc: Couch, HCD

7/22/97

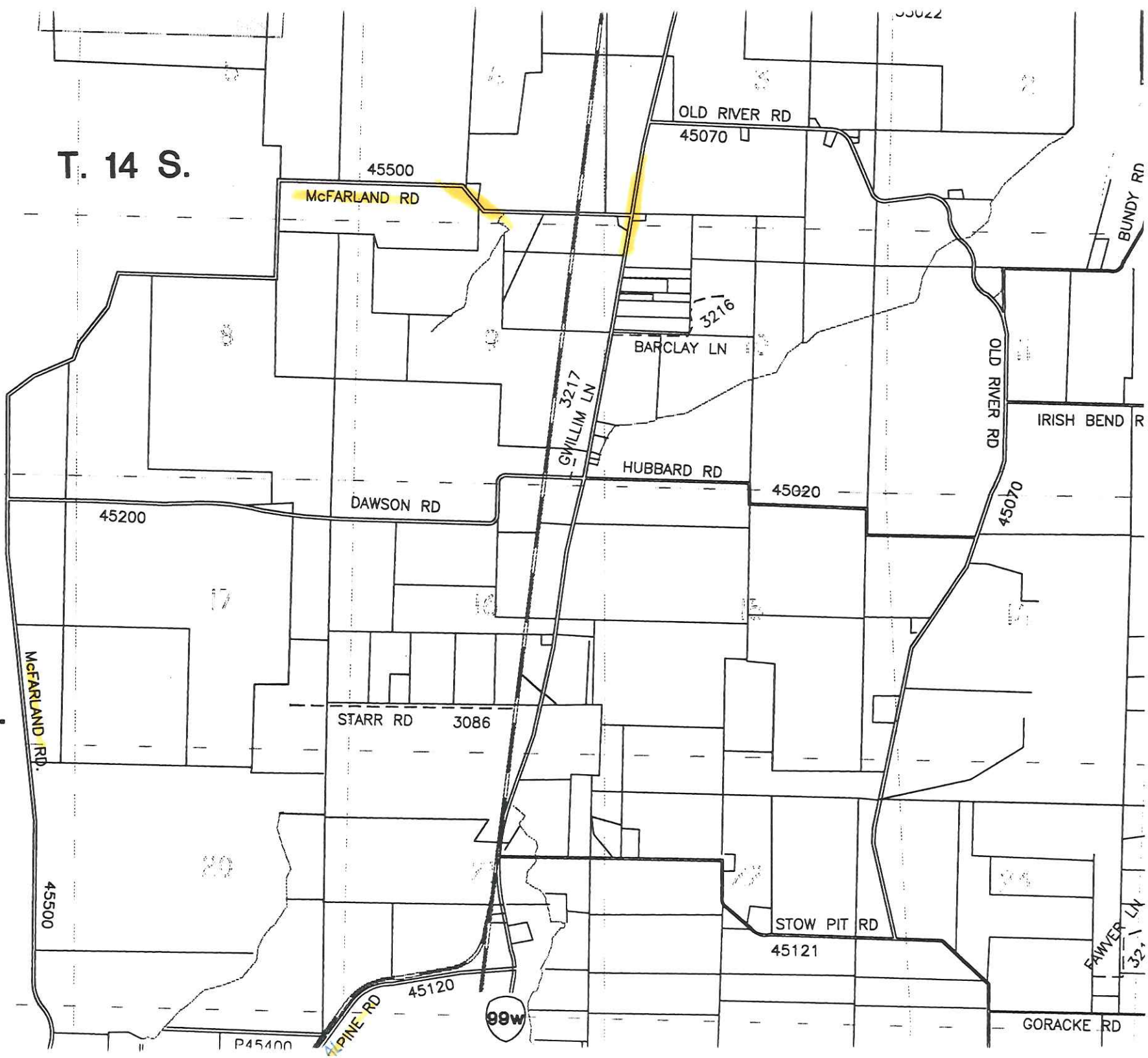
Inspected McFarland Ent. Inc. Pond.

Duck/IRR Ponds - Only filled in Oct. by pumping from Slough +/- or by gravity flow from Slough. In the spring water is drain from ponds back into Slough.

No water in ponds @ time of inspection

T. 14 S.

R. 5 W.



McFARLAND RD

OLD RIVER RD

45070

45500

3216

BARCLAY LN

3217
GWILLIM LN

HUBBARD RD

45020

DAWSON RD

45200

OLD RIVER RD

IRISH BEND R

45070

STARR RD 3086

McFARLAND RD

45500

STOW PIT RD

45121

45120

99w

ALPINE RD

GORACKE RD

FAWNER LN
3218

P45100

FINLEY REFUGE RD

SEE MAP 10

FINLEY

99w

30

29

28

LAKESIDE DR

35210

35131

GRIMSLEY RD

3219

WILDLIFE

REFUGE

T. 13 S

BRUCE RD

35220

EUREKA RD

35022

HORNING LN

MAP 14

T. 14 S.

45500

McFARLAND RD

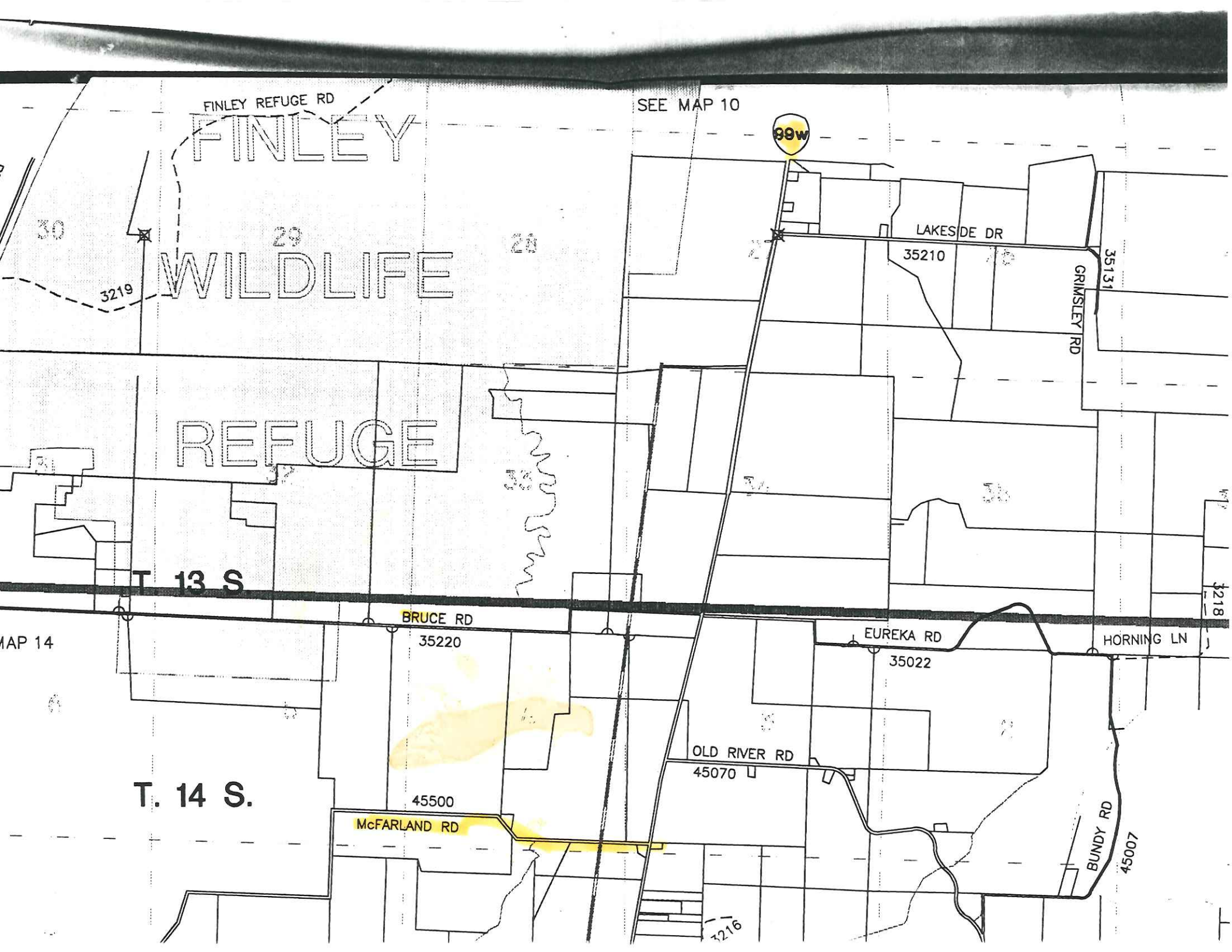
OLD RIVER RD

45070

BUNDY RD

45007

3216





Oregon Water Resources Department Notice of Exempt Reservoir

For reservoirs built before January 1, 1995, that:

- Store less than 9.2 acre-feet of water, or
- Have a dam less than 10 feet high.

The deadline for submitting a Notice of Exempt Reservoir is January 31, 1997.

RECEIVED
JAN 30 1997
WATER RESOURCES DEPT.
SALEM, OREGON

Landowner: McFarland Enterprises, Inc

Authorized Agent: Hansen, Harold MI L. MI

Address: 122 Glenwood Court

Oregon City OR 97045
City State Zip

Phone: 656-5196 Home Work

FAX: _____ E-Mail Address: _____

A. County of use: Benton B. River basin (see reverse): Willamette

C. Legal description of reservoir location:

Township	Range	Section	Quarter/Quarter	Tax Lot #
<u>14 S</u>	<u>5W</u>	<u>4</u>	<u>SW 1/4 SW 1/4 & SE 1/4 SW 1/4</u>	<u>#500</u>
<u>14 S</u>	<u>5W</u>	<u>9</u>	<u>NW 1/4 NW 1/4 & NE 1/4 NW 1/4</u>	<u>#600</u>

D. Name, if any, of reservoir: McFarland E. Reservoir in existence since: -1-1930
(Final dike 1981) MM DD YY

F. Source of water: Muddy Creek (Muddy Cr. Slough) which flows into Marys River
Name of river or creek Name of river or creek

G. Maximum height of dam: 5.0 feet.

H. Quantity of water stored in reservoir at maximum capacity (see reverse): 110 acre-feet.

I. Water stored in reservoir is used for (see reverse): Wildlife (Duck Club flooding - irrigation)

J. Rate and area of use—Refer to chart on the back of this form. For each type of water use listed in Item I., show the quantity of water used and, if applicable, the number of acres on which water is used.

BEFORE YOU SIGN AND SUBMIT THIS APPLICATION . . . HAVE YOU:

Answered each question on this form as completely as possible?

Attached a legible map showing township, section, range, quarter-quarter & tax lot number?

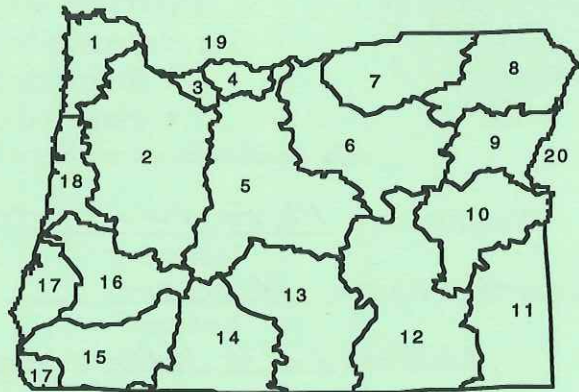
By my signature below, I swear that all statements made and information provided in this application are true to the best of my knowledge.

Harold L. Hansen Harold L. Hansen Representative 1/28/97
(Signature of Landowner/Agent) (Printed name and title) (Date)

For Department Use P-82632 File # _____ Date received _____ 10-95

Oregon's major river basins:

- | | | |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde | 15-Rogue |
| 2-Willamette | 9-Powder | 16.Umpqua |
| 3-Sandy | 10-Malheur | 17-S. Coast |
| 4-Hood | 11-Owyhee | 18-Mid Coast |
| 5-Deschutes | 12-Malheur L. | 19-Columbia |
| 6-John Day | 13-Goose/Summer | 20-Snake |
| 7-Umatilla | 14-Klamath | |



One acre-foot is the volume of water that would cover one acre with one foot of water. To find out how much water your pond stores, multiply the surface area by the average depth. This will give you a rough estimate of cubic feet. One acre-foot equals 43,560 cubic feet. You can submit a Notice of Exempt Reservoir if your pond stores less than 400,752 cubic feet—43,560 X 9.2.

Rate and Area of Use

cfs—cubic feet per second

gpm—gallons per minute

Agriculture, Land Management

Gen. Agriculture	cfs/gpm	# acres	Cranberry	cfs/gpm	# acres
Irrigation	cfs/gpm	# acres	Nursery Operatn.	cfs/gpm	# acres
Stockwater	cfs/gpm	# acres	Temp. Control	cfs/gpm	# acres
Aquatic Life	cfs/gpm	# acres	Forest/Range Mgt	cfs/gpm	# acres
Other:	cfs/gpm	# acres	Other:	cfs/gpm	# acres

Industrial/Commercial Uses

Industrial	cfs/gpm	_____	Commercial	cfs/gpm	_____
Fire Protection	cfs/gpm	_____	Mining	cfs/gpm	_____
Power Dev.	cfs/gpm	_____	Other:	cfs/gpm	_____

Drinking Water Supply

Human Consumption	cfs/gpm	_____	Domestic	cfs/gpm	_____
Domestic	cfs/gpm	_____	Other:	cfs/gpm	_____
Expanded	cfs/gpm	_____			

Community Water Supply

Municipal	cfs/gpm	_____	Quasi-Municipal	cfs/gpm	_____
Group Domestic	cfs/gpm	_____	Storm Water Mgt	cfs/gpm	_____
Other:	cfs/gpm	_____	Other:	cfs/gpm	_____

Environmental Benefits

Pollution Abatement	cfs/gpm	_____	Recreation	cfs/gpm	_____
Wetland Enhancement	cfs/gpm	_____	Wildlife	cfs/gpm	_____
Other:	cfs/gpm	_____	Other:	cfs/gpm	_____

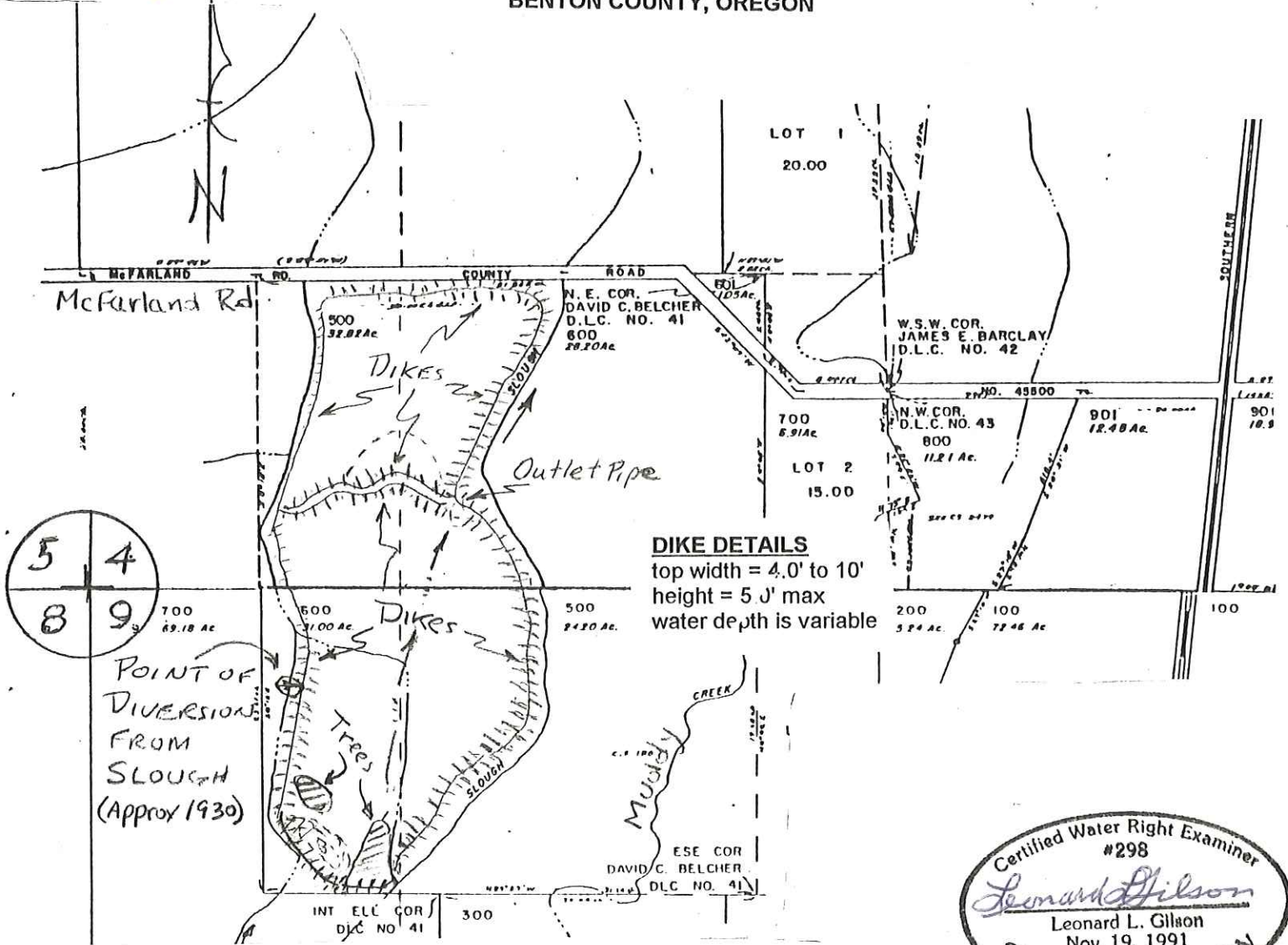
LOCATION MAP FOR McFARLAND ENTERPRISES, INC

RECEIVED

JAN 30 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Located in the S 1/2, SW 1/4, Section 4 (Tax Lot 500)
and N 1/2, NW 1/4, Section 9 (Tax Lot 600),
T 14 S, R 5 W, W.M.
BENTON COUNTY, OREGON



DIKE DETAILS
top width = 4.0' to 10'
height = 5 J' max
water depth is variable

**POINT OF DIVERSION FROM SLOUGH IS 825 FEET EAST
AND 410 FEET SOUTH FROM THE NW CORNER OF SEC. 9, T14S, R5W, WM**

SCALE IS APPROXIMATELY 1 INCH = 660 FEET FROM AERIAL PHOTOGRAPHY

Certified Water Right Examiner
#298
Leonard L. Gilson
Leonard L. Gilson
Nov. 19, 1991
STATE OF OREGON

**NOTE: THIS MAP IS FOR THE PURPOSE OF IDENTIFYING LOCATION OF
WATER RIGHT AND IRRIGATION AND HAS NO INTENT TO DIMENSION OR
LOCATE PROPERTY OWNERSHIP LINES. DISTANCES AND AREAS ARE
DETERMINED AS SCALED FROM AERIAL PHOTOGRAPHY.**

LEONARD L. GILSON, PE, PLS
Engineering - Surveying
7275 S.W. 82nd Ave.
Portland, OR 97223
Phone 246-1612

P-82632