



Water Right Application Initial Review

May 25, 2018

MCELLIGOTT LLC
C/O JOSEPH MCELLIGOTT
PO BOX 4
IONE OR 97843

Reference: Application R-88345

This document is to inform you of the preliminary analysis of the 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 supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Preliminary Determinations (Oregon Administrative Rule (OAR) 690-310-0080)

1. The application proposes the storage of 35.48 acre-feet (AF) of water in 78 reservoirs (see table below) from runoff, tributary to Rock Creek, Board Creek, Hollywood Creek and Tupper Creek for year-round fire protection, livestock and wildlife.

POD	Res Name	Tributary	Dam Height	Measured Distances	AF Stored	Area Acres	Source
1	RC1	Rock Creek	10.0	1720 FEET NORTH AND 60 FEET WEST FROM SE CORNER, SECTION 20	0.12	0.04	runoff
2	RC2	Rock Creek	10.0	510 FEET NORTH AND 1360 FEET WEST FROM SE CORNER, SECTION 20	0.06	0.02	runoff
3	RC3	Rock Creek	10.0	665 FEET NORTH AND 1410 FEET WEST FROM SE CORNER, SECTION 20	0.21	0.05	runoff
4	RC4	Rock Creek	10.0	70 FEET NORTH AND 1170 FEET EAST FROM SW CORNER, SECTION 21	1.98	0.40	runoff
5	RC5	Rock Creek	10.0	1520 FEET NORTH AND 1780 FEET WEST FROM SE CORNER, SECTION 21	0.07	0.03	runoff
6	RC7	Rock Creek	10.0	40 FEET NORTH AND 2080 FEET WEST FROM SE CORNER, SECTION 21	0.86	0.17	runoff
7	RC8	Rock Creek	10.0	1010 FEET NORTH AND 1150 FEET WEST FROM SE CORNER, SECTION 21	0.62	0.12	runoff
8	RC12	Board Creek	10.0	2990 FEET NORTH AND 1470 FEET EAST FROM SW CORNER, SECTION 23	1.06	0.21	runoff

9	RC13	Board Creek	10.0	2780 FEET NORTH AND 660 FEET EAST FROM SW CORNER, SECTION 24	0.03	0.01	runoff
10	RC15	Board Creek	10.0	2880 FEET NORTH AND 1060 FEET EAST FROM SW CORNER, SECTION 24	0.17	0.05	runoff
11	RC19	Board Creek	10.0	310 FEET NORTH AND 490 FEET EAST FROM SW CORNER, SECTION 24	0.13	0.04	runoff
12	RC20	Board Creek	10.0	290 FEET NORTH AND 560 FEET EAST FROM SW CORNER, SECTION 24	0.02	0.01	runoff
13	RC25	Hollywood Creek	10.0	1430 FEET NORTH AND 2630 FEET WEST FROM SE CORNER, SECTION 25	0.13	0.04	runoff
14	RC29	Tupper Creek	10.0	2480 FEET NORTH AND 300 FEET WEST FROM SE CORNER, SECTION 26	0.26	0.06	runoff
15	RC30	Tupper Creek	10.0	1510 FEET NORTH AND 955 FEET WEST FROM SE CORNER, SECTION 26	0.11	0.03	runoff
16	RC34	Board Creek	10.0	1280 FEET SOUTH AND 1590 FEET EAST FROM NW CORNER, SECTION 27	0.03	0.02	runoff
17	RC35	Board Creek	10.0	1570 FEET SOUTH AND 770 FEET EAST FROM NW CORNER, SECTION 27	0.29	0.07	runoff
18	RC36	Board Creek	10.0	1860 FEET SOUTH AND 940 FEET EAST FROM NW CORNER, SECTION 27	0.15	0.04	runoff
19	RC38	Rock Creek	10.0	790 FEET SOUTH AND 2560 FEET EAST FROM NW CORNER, SECTION 28	0.12	0.04	runoff
20	RC39	Rock Creek	10.0	3440 FEET SOUTH AND 140 FEET EAST FROM NW CORNER, SECTION 28	0.10	0.03	runoff
21	RC40	Board Creek	10.0	1890 FEET NORTH AND 1440 FEET WEST FROM SE CORNER, SECTION 28	0.48	0.10	runoff
22	RC41	Board Creek	10.0	1280 FEET NORTH AND 1110 FEET WEST FROM SE CORNER, SECTION 28	0.19	0.06	runoff
23	RC45	Rock Creek	10.0	500 FEET NORTH AND 1670 FEET WEST FROM SE CORNER, SECTION 29	0.72	0.14	runoff
24	RC46	Rock Creek	10.0	1160 FEET NORTH AND 700 FEET WEST FROM SE CORNER, SECTION 29	0.33	0.08	runoff
25	RC47	Rock Creek	10.0	340 FEET SOUTH AND 1500 FEET EAST FROM NW CORNER, SECTION 33	0.48	0.1	runoff
26	RC48	Rock Creek	10.0	920 FEET SOUTH AND 1920 FEET EAST FROM NW CORNER, SECTION 33	0.64	0.13	runoff
27	RC50	Board Creek	10.0	40 FEET SOUTH AND 1400 FEET WEST FROM NE CORNER, SECTION 34	0.13	0.04	runoff
28	RC52	Tupper Creek	10.0	810 FEET NORTH AND 1450 FEET WEST FROM SE CORNER, SECTION 34	1.40	0.28	runoff
29	RC53	Tupper Creek	10.0	820 FEET NORTH AND 620 FEET WEST FROM SE CORNER, SECTION 34	0.71	0.14	runoff
30	RC54	Tupper Creek	10.0	120 FEET SOUTH AND 2900 FEET EAST FROM NW CORNER, SECTION 35	0.12	0.04	runoff
31	RC55	Tupper Creek	10.0	760 FEET SOUTH AND 2130 FEET EAST FROM NW CORNER, SECTION 35	0.92	0.18	runoff
32	RC56	Tupper Creek	10.0	1140 FEET SOUTH AND 1380 FEET EAST FROM NW CORNER, SECTION 35	0.23	0.05	runoff
33	RC60	Tupper Creek	10.0	2970 FEET NORTH AND 240 FEET EAST FROM SW CORNER, SECTION 36	0.91	0.18	runoff
34	RC61	Tupper Creek	10.0	2390 FEET NORTH AND 260 FEET EAST FROM SW CORNER, SECTION 36	2.04	0.41	runoff
35	RC62	Tupper Creek	10.0	1220 FEET NORTH AND 100 FEET EAST FROM SW CORNER, SECTION 36	1.65	0.33	runoff
36	RCA	Rock Creek	10.0	1340 FEET NORTH AND 70 FEET WEST FROM SE CORNER, SECTION 20	0.23	0.05	runoff

37	RCB	Rock Creek	10.0	1150 FEET NORTH AND 2520 FEET EAST FROM SW CORNER, SECTION 21	0.35	0.07	runoff
38	RCD	Board Creek	10.0	1010 FEET NORTH AND 980 FEET WEST FROM SE CORNER, SECTION 28	0.09	0.03	runoff
39	RCG	Board Creek	10.0	1490 FEET NORTH AND 60 FEET WEST FROM SE CORNER, SECTION 22	0.09	0.03	runoff
40	RCI	Board Creek	10.0	2300 FEET NORTH AND 780 FEET WEST FROM SE CORNER, SECTION 22	0.04	0.02	runoff
41	RCJ	Board Creek	10.0	2400 FEET SOUTH AND 670 FEET EAST FROM NW CORNER, SECTION 24	0.08	0.03	runoff
42	RC1A	Tupper Creek	10.0	1780 FEET NORTH AND 860 FEET EAST FROM SW CORNER, SECTION 35	1.31	0.26	runoff
43	RC2A	Tupper Creek	10.0	2210 FEET NORTH AND 960 FEET EAST FROM SW CORNER, SECTION 35	2.58	0.52	runoff
44	RC3A	Tupper Creek	10.0	2820 FEET NORTH AND 1450 FEET EAST FROM SW CORNER, SECTION 35	0.14	0.04	runoff
45	RC4A	Tupper Creek	10.0	3420 FEET NORTH AND 1730 FEET EAST FROM SW CORNER, SECTION 35	0.04	0.02	runoff
46	RC8A	Tupper Creek	10.0	810 FEET NORTH AND 1790 FEET WEST FROM SE CORNER, SECTION 26	2.23	0.45	runoff
47	RC11A	Hollywood Creek	10.0	70 FEET NORTH AND 1730 FEET WEST FROM SE CORNER, SECTION 25	0.11	0.04	runoff
48	RC12A	Hollywood Creek	10.0	870 FEET NORTH AND 2090 FEET WEST FROM SE CORNER, SECTION 25	0.27	0.06	runoff
49	RC14A	Hollywood Creek	10.0	1680 FEET NORTH AND 2690 FEET WEST FROM SE CORNER, SECTION 25	0.21	0.05	runoff
50	RC16A	Tupper Creek	10.0	500 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 36	0.20	0.05	runoff
51	RC17A	Tupper Creek	10.0	400 FEET NORTH AND 2570 FEET EAST FROM SW CORNER, SECTION 36	0.08	0.04	runoff
52	RC64	Tupper Creek	10.0	2340 FEET NORTH AND 2160 FEET EAST FROM SW CORNER, SECTION 1	0.13	0.04	runoff
53	RC65	Tupper Creek	10.0	1720 FEET NORTH AND 1470 FEET EAST FROM SW CORNER, SECTION 1	0.11	0.03	runoff
54	RC68	Rock Creek	10.0	2440 FEET NORTH AND 640 FEET WEST FROM SE CORNER, SECTION 2	0.05	0.02	runoff
55	RC70	Rock Creek	10.0	100 FEET SOUTH AND 640 FEET WEST FROM NE CORNER, SECTION 2	1.45	0.29	runoff
56	RC71	Rock Creek	10.0	1500 FEET NORTH AND 1230 FEET WEST FROM SE CORNER, SECTION 11	0.12	0.04	runoff
57	RC72	Rock Creek	10.0	340 FEET NORTH AND 3320 FEET WEST FROM SE CORNER, SECTION 11	0.05	0.02	runoff
58	RC73	Rock Creek	10.0	2570 FEET NORTH AND 120 FEET EAST FROM SW CORNER, SECTION 12	0.04	0.02	runoff
59	RC23A	Tupper Creek	10.0	1000 FEET SOUTH AND 490 FEET WEST FROM NE CORNER, SECTION 1	0.11	0.05	runoff
60	RC24A	Rock Creek	10.0	1340 FEET SOUTH AND 920 FEET EAST FROM NW CORNER, SECTION 1	0.55	0.11	runoff
61	RC25A	Rock Creek	10.0	2580 FEET SOUTH AND 1220 FEET EAST FROM NW CORNER, SECTION 1	0.04	0.02	runoff
62	RC26A	Rock Creek	10.0	1540 FEET SOUTH AND 1080 FEET WEST FROM NE CORNER, SECTION 11	0.03	0.02	runoff
63	RC27A	Rock Creek	10.0	2200 FEET SOUTH AND 1490 FEET WEST FROM NE CORNER, SECTION 11	0.16	0.04	runoff
64	RC30A	Rock Creek	10.0	2060 FEET SOUTH AND 1730 FEET EAST FROM NW CORNER, SECTION 14	0.01	0.01	runoff

65	RC31A	Rock Creek	10.0	2010 FEET SOUTH AND 1330 FEET EAST FROM NW CORNER, SECTION 14	0.03	0.01	runoff
66	RC32A	Rock Creek	10.0	3230 FEET SOUTH AND 1260 FEET EAST FROM NW CORNER, SECTION 14	0.04	0.02	runoff
67	RC34A	Rock Creek	10.0	1040 FEET SOUTH AND 860 FEET EAST FROM SW CORNER, SECTION 23	0.13	0.04	runoff
68	9/7/14 RC6	Rock Creek	10.0	2050 FEET SOUTH AND 400 FEET WEST FROM NE CORNER, SECTION 11	0.83	0.17	runoff
69	9/7/14 RC7	Rock Creek	10.0	160 FEET SOUTH AND 1430 FEET WEST FROM NE CORNER, SECTION 2	1.83	0.37	runoff
70	RC63	Tupper Creek	10.0	930 FEET NORTH AND 880 FEET EAST FROM SW CORNER, SECTION 5	0.21	0.05	runoff
71	RC19A	Tupper Creek	10.0	1200 FEET NORTH AND 440 FEET WEST FROM SE CORNER, SECTION 6	0.10	0.03	runoff
72	RC20A	Tupper Creek	10.0	2290 FEET NORTH AND 980 FEET WEST FROM SE CORNER, SECTION 6	0.16	0.04	runoff
73	RC21A	Tupper Creek	10.0	2430 FEET NORTH AND 790 FEET WEST FROM SE CORNER, SECTION 6	0.06	0.02	runoff
74	9/7/14 RC11	Tupper Creek	10.0	260 FEET NORTH AND 2580 FEET WEST FROM SE CORNER, SECTION 6	1.92	0.38	runoff
75	RCN1	Rock Creek	10.0	615 FEET NORTH AND 640 FEET WEST FROM SE CORNER, SECTION 21	0.45	0.10	runoff
76	RCN2	Rock Creek	10.0	1660 FEET NORTH AND 2320 FEET EAST FROM SW CORNER, SECTION 22	0.45	0.10	runoff
77	RCN3	Tupper Creek	10.0	260 FEET NORTH AND 1500 FEET WEST FROM SE CORNER, SECTION 34	0.45	0.10	runoff
78	RCN4	Tupper Creek	10.0	280 FEET NORTH AND 610 FEET WEST FROM SE CORNER, SECTION 34	0.45	0.10	runoff

2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Fire protection, livestock and wildlife are allowable uses under the John Day Basin Program (690-506-0080).
4. An assessment of water availability at 50% exceedance for the proposed use was completed using the Department's Water Availability Reporting System (WARS). A copy of this assessment is in the application file. For this application, and for most reservoir applications, the Department uses WARS at 50% exceedance for determining water availability to provide a consistent method of avoiding periods of the year when flows are low and seldom exceed the needs of water rights and when additional flows are needed to support public uses. This review is done consistent with OAR 690-410-0070(2)(c). The assessment established that water is available March 1 through March 31 of each year. ORS 537.153(3)(b); OAR 690-310-0180(1)(b)
5. OAR 690-033-0120(2)(a) prohibits the diversion of water from April 15 through September 30 each year.
6. The proposed use is located above the John Day Scenic Waterway, as designated under Oregon Revised Statute 390.826.
7. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright. ORS 537.621(3)(b); OAR 690-310-0150(2)(b)

Summary

The diversion of 35.48 AF of water for storage in 78 reservoirs (see table above) for fire protection, livestock and wildlife, March 1 through March 31 of each year is allowable.

Because of the favorable determinations described herein, Application R-88345 can move to the next phase of the water-rights application review process, which includes a public interest

This initial review does not 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. If significant public interest issues are identified, they could have an impact on the eventual outcome of the application.

At this time, you must decide whether to proceed or to withdraw the application.

Proceed

If you choose to proceed with the application you do not have to notify the Department. The application will 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.

Withdraw

You may withdraw the application and receive a refund (minus a \$260 processing fee per application). You must notify the Department in writing by **June 8, 2018**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If a Permit is Issued it will Likely Include the Following Conditions:

1. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. A permit is subject to cancellation proceedings if the begin construction deadline is missed.
2. **Measurement Devices, and Recording/Reporting of Annual Water Use Conditions:**
 - A. Before water use may begin under this permit, the permittee shall install a staff gage 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 stored, and may require the permittee to report water-storage 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.
3. 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.

If you have any questions:

Feel free to contact me at Elisabeth.A.Graham@oregon.gov or 503-986-0808 if you have any questions regarding the contents of this letter or the application. Please include the application number in all correspondence. 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: Lisa Graham, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

A handwritten signature in black ink, appearing to be 'L. Graham', with a long horizontal line extending to the right.

Lisa Graham
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description and Stop Processing Request Form
R-88345
WAB: 6-30620427

APPLICATION FACT SHEET

Application File Number: R-88345

Applicant: MCELLIGOTT LLC

County: MORROW

Watermaster: KEN THIEMANN, 21, NCR

Priority Date: DECEMBER 21, 2016

Source: RUNOFF, TRIBUTARY TO ROCK CREEK, BOARD CREEK, HOLLYWOOD CREEK AND TUPPER CREEK

Purpose or Use of the stored water: FIRE PROTECTION, LIVESTOCK AND WILDLIFE

Total Volume: 35.48 ACRE-FEET

Basin Name & Number: JOHN DAY, # 6

Points of Diversion, Dam Locations and Storage Facility Name:

POD	Res Name	Tributary	Dam Height	Measured Distances	AF Stored	Area Acres	Source
1	RC1	Rock Creek	10.0	1720 FEET NORTH AND 60 FEET WEST FROM SE CORNER, SECTION 20	0.12	0.04	runoff
2	RC2	Rock Creek	10.0	510 FEET NORTH AND 1360 FEET WEST FROM SE CORNER, SECTION 20	0.06	0.02	runoff
3	RC3	Rock Creek	10.0	665 FEET NORTH AND 1410 FEET WEST FROM SE CORNER, SECTION 20	0.21	0.05	runoff
4	RC4	Rock Creek	10.0	70 FEET NORTH AND 1170 FEET EAST FROM SW CORNER, SECTION 21	1.98	0.40	runoff
5	RC5	Rock Creek	10.0	1520 FEET NORTH AND 1780 FEET WEST FROM SE CORNER, SECTION 21	0.07	0.03	runoff
6	RC7	Rock Creek	10.0	40 FEET NORTH AND 2080 FEET WEST FROM SE CORNER, SECTION 21	0.86	0.17	runoff
7	RC8	Rock Creek	10.0	1010 FEET NORTH AND 1150 FEET WEST FROM SE CORNER, SECTION 21	0.62	0.12	runoff
8	RC12	Board Creek	10.0	2990 FEET NORTH AND 1470 FEET EAST FROM SW CORNER, SECTION 23	1.06	0.21	runoff
9	RC13	Board Creek	10.0	2780 FEET NORTH AND 660 FEET EAST FROM SW CORNER, SECTION 24	0.03	0.01	runoff
10	RC15	Board Creek	10.0	2880 FEET NORTH AND 1060 FEET EAST FROM SW CORNER, SECTION 24	0.17	0.05	runoff
11	RC19	Board Creek	10.0	310 FEET NORTH AND 490 FEET EAST FROM SW CORNER, SECTION 24	0.13	0.04	runoff
12	RC20	Board Creek	10.0	290 FEET NORTH AND 560 FEET EAST FROM SW CORNER, SECTION 24	0.02	0.01	runoff
13	RC25	Hollywood Creek	10.0	1430 FEET NORTH AND 2630 FEET WEST FROM SE CORNER, SECTION 25	0.13	0.04	runoff
14	RC29	Tupper Creek	10.0	2480 FEET NORTH AND 300 FEET WEST FROM SE CORNER, SECTION 26	0.26	0.06	runoff
15	RC30	Tupper Creek	10.0	1510 FEET NORTH AND 955 FEET WEST FROM SE CORNER, SECTION 26	0.11	0.03	runoff

16	RC34	Board Creek	10.0	1280 FEET SOUTH AND 1590 FEET EAST FROM NW CORNER, SECTION 27	0.03	0.02	runoff
17	RC35	Board Creek	10.0	1570 FEET SOUTH AND 770 FEET EAST FROM NW CORNER, SECTION 27	0.29	0.07	runoff
18	RC36	Board Creek	10.0	1860 FEET SOUTH AND 940 FEET EAST FROM NW CORNER, SECTION 27	0.15	0.04	runoff
19	RC38	Rock Creek	10.0	790 FEET SOUTH AND 2560 FEET EAST FROM NW CORNER, SECTION 28	0.12	0.04	runoff
20	RC39	Rock Creek	10.0	3440 FEET SOUTH AND 140 FEET EAST FROM NW CORNER, SECTION 28	0.10	0.03	runoff
21	RC40	Board Creek	10.0	1890 FEET NORTH AND 1440 FEET WEST FROM SE CORNER, SECTION 28	0.48	0.10	runoff
22	RC41	Board Creek	10.0	1280 FEET NORTH AND 1110 FEET WEST FROM SE CORNER, SECTION 28	0.19	0.06	runoff
23	RC45	Rock Creek	10.0	500 FEET NORTH AND 1670 FEET WEST FROM SE CORNER, SECTION 29	0.72	0.14	runoff
24	RC46	Rock Creek	10.0	1160 FEET NORTH AND 700 FEET WEST FROM SE CORNER, SECTION 29	0.33	0.08	runoff
25	RC47	Rock Creek	10.0	340 FEET SOUTH AND 1500 FEET EAST FROM NW CORNER, SECTION 33	0.48	0.10	runoff
26	RC48	Rock Creek	10.0	920 FEET SOUTH AND 1920 FEET EAST FROM NW CORNER, SECTION 33	0.64	0.13	runoff
27	RC50	Board Creek	10.0	40 FEET SOUTH AND 1400 FEET WEST FROM NE CORNER, SECTION 34	0.13	0.04	runoff
28	RC52	Tupper Creek	10.0	810 FEET NORTH AND 1450 FEET WEST FROM SE CORNER, SECTION 34	1.40	0.28	runoff
29	RC53	Tupper Creek	10.0	820 FEET NORTH AND 620 FEET WEST FROM SE CORNER, SECTION 34	0.71	0.14	runoff
30	RC54	Tupper Creek	10.0	120 FEET SOUTH AND 2900 FEET EAST FROM NW CORNER, SECTION 35	0.12	0.04	runoff
31	RC55	Tupper Creek	10.0	760 FEET SOUTH AND 2130 FEET EAST FROM NW CORNER, SECTION 35	0.92	0.18	runoff
32	RC56	Tupper Creek	10.0	1140 FEET SOUTH AND 1380 FEET EAST FROM NW CORNER, SECTION 35	0.23	0.05	runoff
33	RC60	Tupper Creek	10.0	2970 FEET NORTH AND 240 FEET EAST FROM SW CORNER, SECTION 36	0.91	0.18	runoff
34	RC61	Tupper Creek	10.0	2390 FEET NORTH AND 260 FEET EAST FROM SW CORNER, SECTION 36	2.04	0.41	runoff
35	RC62	Tupper Creek	10.0	1220 FEET NORTH AND 100 FEET EAST FROM SW CORNER, SECTION 36	1.65	0.33	runoff
36	RCA	Rock Creek	10.0	1340 FEET NORTH AND 70 FEET WEST FROM SE CORNER, SECTION 20	0.23	0.05	runoff
37	RCB	Rock Creek	10.0	1150 FEET NORTH AND 2520 FEET EAST FROM SW CORNER, SECTION 21	0.35	0.07	runoff
38	RCD	Board Creek	10.0	1010 FEET NORTH AND 980 FEET WEST FROM SE CORNER, SECTION 28	0.09	0.03	runoff
39	RCG	Board Creek	10.0	1490 FEET NORTH AND 60 FEET WEST FROM SE CORNER, SECTION 22	0.09	0.03	runoff
40	RCI	Board Creek	10.0	2300 FEET NORTH AND 780 FEET WEST FROM SE CORNER, SECTION 22	0.04	0.02	runoff
41	RCJ	Board Creek	10.0	2400 FEET SOUTH AND 670 FEET EAST FROM NW CORNER, SECTION 24	0.08	0.03	runoff
42	RC1A	Tupper Creek	10.0	1780 FEET NORTH AND 860 FEET EAST FROM SW CORNER, SECTION 35	1.31	0.26	runoff
43	RC2A	Tupper Creek	10.0	2210 FEET NORTH AND 960 FEET EAST FROM SW CORNER, SECTION 35	2.58	0.52	runoff
44	RC3A	Tupper Creek	10.0	2820 FEET NORTH AND 1450 FEET EAST FROM SW CORNER, SECTION 35	0.14	0.04	runoff

45	RC4A	Tupper Creek	10.0	3420 FEET NORTH AND 1730 FEET EAST FROM SW CORNER, SECTION 35	0.04	0.02	runoff
46	RC8A	Tupper Creek	10.0	810 FEET NORTH AND 1790 FEET WEST FROM SE CORNER, SECTION 26	2.23	0.45	runoff
47	RC11A	Hollywood Creek	10.0	70 FEET NORTH AND 1730 FEET WEST FROM SE CORNER, SECTION 25	0.11	0.04	runoff
48	RC12A	Hollywood Creek	10.0	870 FEET NORTH AND 2090 FEET WEST FROM SE CORNER, SECTION 25	0.27	0.06	runoff
49	RC14A	Hollywood Creek	10.0	1680 FEET NORTH AND 2690 FEET WEST FROM SE CORNER, SECTION 25	0.21	0.05	runoff
50	RC16A	Tupper Creek	10.0	500 FEET NORTH AND 2280 FEET WEST FROM SE CORNER, SECTION 36	0.20	0.05	runoff
51	RC17A	Tupper Creek	10.0	400 FEET NORTH AND 2570 FEET EAST FROM SW CORNER, SECTION 36	0.08	0.04	runoff
52	RC64	Tupper Creek	10.0	2340 FEET NORTH AND 2160 FEET EAST FROM SW CORNER, SECTION 1	0.13	0.04	runoff
53	RC65	Tupper Creek	10.0	1720 FEET NORTH AND 1470 FEET EAST FROM SW CORNER, SECTION 1	0.11	0.03	runoff
54	RC68	Rock Creek	10.0	2440 FEET NORTH AND 640 FEET WEST FROM SE CORNER, SECTION 2	0.05	0.02	runoff
55	RC70	Rock Creek	10.0	100 FEET SOUTH AND 640 FEET WEST FROM NE CORNER, SECTION 2	1.45	0.29	runoff
56	RC71	Rock Creek	10.0	1500 FEET NORTH AND 1230 FEET WEST FROM SE CORNER, SECTION 11	0.12	0.04	runoff
57	RC72	Rock Creek	10.0	340 FEET NORTH AND 3320 FEET WEST FROM SE CORNER, SECTION 11	0.05	0.02	runoff
58	RC73	Rock Creek	10.0	2570 FEET NORTH AND 120 FEET EAST FROM SW CORNER, SECTION 12	0.04	0.02	runoff
59	RC23A	Tupper Creek	10.0	1000 FEET SOUTH AND 490 FEET WEST FROM NE CORNER, SECTION 1	0.11	0.05	runoff
60	RC24A	Rock Creek	10.0	1340 FEET SOUTH AND 920 FEET EAST FROM NW CORNER, SECTION 1	0.55	0.11	runoff
61	RC25A	Rock Creek	10.0	2580 FEET SOUTH AND 1220 FEET EAST FROM NW CORNER, SECTION 1	0.04	0.02	runoff
62	RC26A	Rock Creek	10.0	1540 FEET SOUTH AND 1080 FEET WEST FROM NE CORNER, SECTION 11	0.03	0.02	runoff
63	RC27A	Rock Creek	10.0	2200 FEET SOUTH AND 1490 FEET WEST FROM NE CORNER, SECTION 11	0.16	0.04	runoff
64	RC30A	Rock Creek	10.0	2060 FEET SOUTH AND 1730 FEET EAST FROM NW CORNER, SECTION 14	0.01	0.01	runoff
65	RC31A	Rock Creek	10.0	2010 FEET SOUTH AND 1330 FEET EAST FROM NW CORNER, SECTION 14	0.03	0.01	runoff
66	RC32A	Rock Creek	10.0	3230 FEET SOUTH AND 1260 FEET EAST FROM NW CORNER, SECTION 14	0.04	0.02	runoff
67	RC34A	Rock Creek	10.0	1040 FEET SOUTH AND 860 FEET EAST FROM SW CORNER, SECTION 23	0.13	0.04	runoff
68	9/7/14 RC6	Rock Creek	10.0	2050 FEET SOUTH AND 400 FEET WEST FROM NE CORNER, SECTION 11	0.83	0.17	runoff
69	9/7/14 RC7	Rock Creek	10.0	160 FEET SOUTH AND 1430 FEET WEST FROM NE CORNER, SECTION 2	1.83	0.37	runoff
70	RC63	Tupper Creek	10.0	930 FEET NORTH AND 880 FEET EAST FROM SW CORNER, SECTION 5	0.21	0.05	runoff
71	RC19A	Tupper Creek	10.0	1200 FEET NORTH AND 440 FEET WEST FROM SE CORNER, SECTION 6	0.10	0.03	runoff
72	RC20A	Tupper Creek	10.0	2290 FEET NORTH AND 980 FEET WEST FROM SE CORNER, SECTION 6	0.16	0.04	runoff
73	RC21A	Tupper Creek	10.0	2430 FEET NORTH AND 790 FEET WEST FROM SE CORNER, SECTION 6	0.06	0.02	runoff

74	9/7/14 RC11	Tupper Creek	10.0	260 FEET NORTH AND 2580 FEET WEST FROM SE CORNER, SECTION 6	1.92	0.38	runoff
75	RCN1	Rock Creek	10.0	615 FEET NORTH AND 640 FEET WEST FROM SE CORNER, SECTION 21	0.45	0.10	runoff
76	RCN2	Rock Creek	10.0	1660 FEET NORTH AND 2320 FEET EAST FROM SW CORNER, SECTION 22	0.45	0.10	runoff
77	RCN3	Tupper Creek	10.0	260 FEET NORTH AND 1500 FEET WEST FROM SE CORNER, SECTION 34	0.45	0.10	runoff
78	RCN4	Tupper Creek	10.0	280 FEET NORTH AND 610 FEET WEST FROM SE CORNER, SECTION 34	0.45	0.10	runoff

The Area to be submerged by Reservoirs:

Twp	Rng	Mer	Sec	Q-Q
5 S	26 E	WM	20	NE SE
5 S	26 E	WM	20	SW SE
5 S	26 E	WM	21	SW SW
5 S	26 E	WM	21	SE SW
5 S	26 E	WM	21	NW SE
5 S	26 E	WM	21	SW SE
5 S	26 E	WM	21	SE SE
5 S	26 E	WM	22	NE SW
5 S	26 E	WM	22	NE SE
5 S	26 E	WM	23	SE NW
5 S	26 E	WM	24	SW NW
5 S	26 E	WM	24	SW SW
5 S	26 E	WM	25	NE SE
5 S	26 E	WM	25	NW SE
5 S	26 E	WM	25	SW SE
5 S	26 E	WM	26	NE SE
5 S	26 E	WM	26	SW SE
5 S	26 E	WM	27	NE NW
5 S	26 E	WM	27	SW NW
5 S	26 E	WM	28	NW NE
5 S	26 E	WM	28	NW SW
5 S	26 E	WM	28	NW SE
5 S	26 E	WM	28	SE SE
5 S	26 E	WM	29	SW SE
5 S	26 E	WM	29	SE SE
5 S	26 E	WM	33	NE NW
5 S	26 E	WM	34	NW NE
5 S	26 E	WM	34	SW SE
5 S	26 E	WM	34	SE SE
5 S	26 E	WM	35	NW NE
5 S	26 E	WM	35	NE NW
5 S	26 E	WM	35	SE NW
5 S	26 E	WM	35	NW SW
5 S	26 E	WM	36	SW NW
5 S	26 E	WM	36	NW SW
5 S	26 E	WM	36	SW SW
5 S	26 E	WM	36	SE SW
5 S	26 E	WM	36	SW SE
6 S	26 E	WM	1	SE NE
6 S	26 E	WM	1	SW NW
6 S	26 E	WM	1	NE SW
6 S	26 E	WM	1	NW SW
6 S	26 E	WM	2	NE NE

Twp	Rng	Mer	Sec	Q-Q
6 S	26 E	WM	2	NW NE
6 S	26 E	WM	2	NE SE
6 S	26 E	WM	11	SW NE
6 S	26 E	WM	11	SE NE
6 S	26 E	WM	11	SE SW
6 S	26 E	WM	11	NE SE
6 S	26 E	WM	12	NW SW
6 S	26 E	WM	14	SW NW
6 S	26 E	WM	14	SE NW
6 S	26 E	WM	14	NW SW
6 S	26 E	WM	23	NW NW
6 S	27 E	WM	5	SW SW
6 S	27 E	WM	6	NE SE
6 S	27 E	WM	6	SW SE
6 S	27 E	WM	6	SE SE

PUBLIC NOTICE DATE: May 29, 2018

14 DAY STOP PROCESSING DEADLINE DATE: June 8, 2018

30 DAY COMMENT DEADLINE DATE: June 28, 2018

APPLICATION PROCESS DESCRIPTION FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

In order to use the waters of Oregon, an application must be submitted and a permit obtained from the Water Resources Department. The water must be used for beneficial purpose without waste. For more information about water right topics, weekly public notice, forms and fees please visit our web site at www.wrd.state.or.us

1. Pre-application considerations

- Follow instructions in the application packet.
- If you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Customer Service Group at (503) 986-0801.

2. Application filing

- Application with fee is received by the Department.
- Department determines completeness of application.
- If use is not allowed by statute (ORS 538), the application and fees are returned to the applicant.
- An incomplete application and fees are returned to the applicant.
- Only a complete application receives a tentative priority date, is assigned a caseworker, and moves forward for processing.

3. Initial Review (IR)

- Caseworker reviews application by considering basin plans, water availability, statutory restrictions, and all other appropriate factors.
- Caseworker sends IR report to Applicant.
- Contact the Caseworker if you have questions about the IR.
- Four days after date of the IR, it is included in Department's weekly Public Notice.
- Public comments must be submitted within 30 days after the Public Notice.
- **An administrative hold** may be requested in writing by Applicant.

4. Proposed Final Order (PFO)

- Caseworker evaluates application against required criteria and develops draft permit, if appropriate.
- PFO includes instructions for filing of protests.
- Caseworker considers public comments and mails PFO to Applicant.
- The PFO is included in Department's weekly Public Notice.
- Public protests to the PFO must be submitted within 45 days after the Public Notice.

5. Final Order (FO)

- If no protest is filed, Final Order is issued.

The protest process

If one or more protests are filed, the process consists of:

- settlement discussion;
- contested case hearing;
- proposed Order;
- period of time to file exceptions; or
- Possible hearing by Water Resources Commission.
- Final Order is issued.

Permit holder responsibilities

- Comply with all water use conditions of the permit.
- Advise Department of address change or assignment to new permit holder.
- If need arises, request extension of time or authorize cancellation of permit.
- Submit timely claim of beneficial use (COBU) to the Department.
- Most permits require COBU to be prepared by a Certified Water Right Examiner.
- Permits may be canceled by the permit holder or by the Department for failure to comply

STOP PROCESSING REQUEST FORM
FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR
APPLICATIONS

- Stop processing deadline is within 14 days of Initial Review.
- Applicant notification to withdraw Water Right Application **R-88345**.
- After reviewing the Initial Review for my application, I request that processing be stopped and the fees be refunded (minus a \$260 examination fee.) I understand that without a valid permit I may not legally use the water as requested in my application.
- Signature _____ Date _____
- Signature _____ Date _____
- Under ORS 537.150 (5) and 537.620 (5) timely submission of this request authorizes that the water right application process be stopped and all filing fees (except \$260 examination fee) be returned.
- This notice must be received at Water Resources Department by:

June 8, 2018

- Return the notice to:

OWRD, Water Right Services Division
STOP PROCESSING
725 Summer Street, NE - Suite A,
Salem OR, 97301-1271
