



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Clean Water Services
ATTN: Tom VanderPlaat
2550 SW Hillsboro Hwy
Hillsboro, OR 97123

U.S. Bureau of Reclamation
ATTN: Ruth Page
1150 North Curtis Rd, Suite 100
Boise, ID 83724-1234

July 6, 2007

City of Hillsboro
ATTN: Kevin Hanway
150 E. Main St., 4th Floor
Hillsboro, OR 97123

City of Beaverton
ATTN: David Winship
P.O. Box 4755
Beaverton, OR 97076-4755

City of Forest Grove
ATTN: Robert Froster, P.E.
P.O. Box 326
Forest Grove, OR 97116

Tualatin Valley Water District
ATTN: Greg DiLoreto
P.O. Box 745
Beaverton, OR 97075

City of Tigard
ATTN: Dennis Koellermeier
13125 SW Hall Boulevard
Tigard, OR 97223

City of Tualatin
ATTN: Michael McKillop
18880 SW Martinazzi Avenue
Tualatin, OR 97062

~~Reference: File R-86734~~

Dear Tualatin Basin Water Supply Project Partners:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit 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 you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The application requests an enlargement of Henry Hagg Lake from Scoggins Creek and the Tualatin River to store an additional 60,000.0 acre-feet with a dam height of 158.0 feet and inundating 1,738.0 acres for multipurpose use including, but not limited to, pollution abatement, aquatic life, wetland enhancement, water quality control and municipal use.

2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The storage of water from Scoggins Creek, a tributary of the Tualatin River, and the Tualatin River, a tributary of the Willamette River, for multipurpose use is allowable from November 1 through June 30 under the Willamette Basin Program (OAR 690-502-0040(4)(a)).
4. Water is available during the month of January from Scoggins Creek and from the Tualatin River during the period November 1 through May 31.

Summary of Initial Determinations

The storage of 60,000.0 acre-feet for multipurpose use from Scoggins Creek, a tributary of the Tualatin River, during the period January 1 through January 31, and the Tualatin River, a tributary of the Willamette River, during the period November 1 through May 31 is allowable.

Prior to beginning construction of the project or issuance of a permit, dam designs and specifications must be submitted to the Department, and the Department's dam safety section must give written approval of the plans and specifications.

Prior to the issuance of a permit, the Department must receive documentation from Washington County demonstrating that land use approval has been obtained.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically 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.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, July 20, 2007**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. 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.

This initial review does not attempt to 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. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0853 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. 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: Alyssa Mucken, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Alyssa Mucken
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

R-86734
WAB 2-30201005 (Scoggins Cr POD) & 30201013 (Tualatin R POD)
POU 2-30201005
GW

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : *Regional Water quality manager (DEQ), and DOA*

Application File Number: R-86734

Applicants: TUALATIN BASIN WATER SUPPLY PROJECT PARTNERS

County: Washington

Watermaster: 18

Priority Date: December 20, 2006

Source: SCOGGINS CREEK, A TRIBUTARY OF THE TUALATIN RIVER, AND THE TUALATIN RIVER, A TRIBUTARY OF THE WILLAMETTE RIVER

Use: MULTI PURPOSE USE

Quantity: 60,000.0 ACRE FEET

Basin Name & Number: Willamette, #2

Stream Index Reference: Volume 20 SCOGGINS CR

Point of Diversions:

SCOGGINS CREEK: NWN^E, SECTION 20, T1S, R4W, W.M.; 300 FEET SOUTH AND 1400 FEET WEST FROM NE CORNER, SECTION 20

TUALATIN RIVER (SPRINGHILL): SWSW, SECTION 8, T1S, R3W, W.M.; 500 FEET NORTH AND 450 FEET EAST FROM SW CORNER, SECTION 8

Place of Use:

SW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 5

NE $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 6

SECTION 18

NE 1/4 NE 1/4
NE 1/4 NE 1/4
NE 1/4 SE 1/4
NE 1/4 SE 1/4
NE 1/4 SW 1/4
NE 1/4 SW 1/4
NE 1/4 SE 1/4
NE 1/4 SE 1/4
NE 1/4 SW 1/4
NE 1/4 SW 1/4
NE 1/4 MN 1/4
NE 1/4 MN 1/4
NE 1/4 MN 1/4
NE 1/4 MN 1/4
NE 1/4 NE 1/4
NE 1/4 NE 1/4
NE 1/4 SE 1/4
NE 1/4 SE 1/4
NE 1/4 SW 1/4
NE 1/4 SW 1/4
NE 1/4 MN 1/4
NE 1/4 MN 1/4

SECTION 17

MN 1/4 NE 1/4
MN 1/4 NE 1/4
MN 1/4 SE 1/4
MN 1/4 SE 1/4
MN 1/4 SW 1/4
MN 1/4 SW 1/4
MN 1/4 MN 1/4
MN 1/4 MN 1/4
MN 1/4 NE 1/4
MN 1/4 NE 1/4
MN 1/4 SE 1/4
MN 1/4 SE 1/4
MN 1/4 SW 1/4
MN 1/4 SW 1/4
MN 1/4 MN 1/4
MN 1/4 MN 1/4
MN 1/4 NE 1/4
MN 1/4 NE 1/4
MN 1/4 MN 1/4
MN 1/4 MN 1/4

SECTION 8

SW 1/4 SW 1/4
SE 1/4 SW 1/4
SE 1/4 MN 1/4
SE 1/4 MN 1/4
SW 1/4 SE 1/4
SW 1/4 SE 1/4

SECTION 7

NE 1/4 NE 1/4
NE 1/4 SE 1/4
NE 1/4 SE 1/4
NE 1/4 SW 1/4
NE 1/4 SW 1/4
NE 1/4 SE 1/4
NE 1/4 SE 1/4
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NE 1/4 SW 1/4
NE 1/4 MN 1/4
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NE 1/4 SW 1/4
NE 1/4 SW 1/4
NE 1/4 MN 1/4
NE 1/4 MN 1/4
NE 1/4 NE 1/4
NE 1/4 NE 1/4
NE 1/4 SE 1/4
NE 1/4 SE 1/4
NE 1/4 SW 1/4
NE 1/4 SW 1/4
NE 1/4 MN 1/4
NE 1/4 MN 1/4

PLACE OF USE CONTINUED:

PLACE OF USE CONTINUED:

NE $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 19

NE $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 20

TOWNSHIP 1 SOUTH, RANGE 4 WEST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 12

NE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$

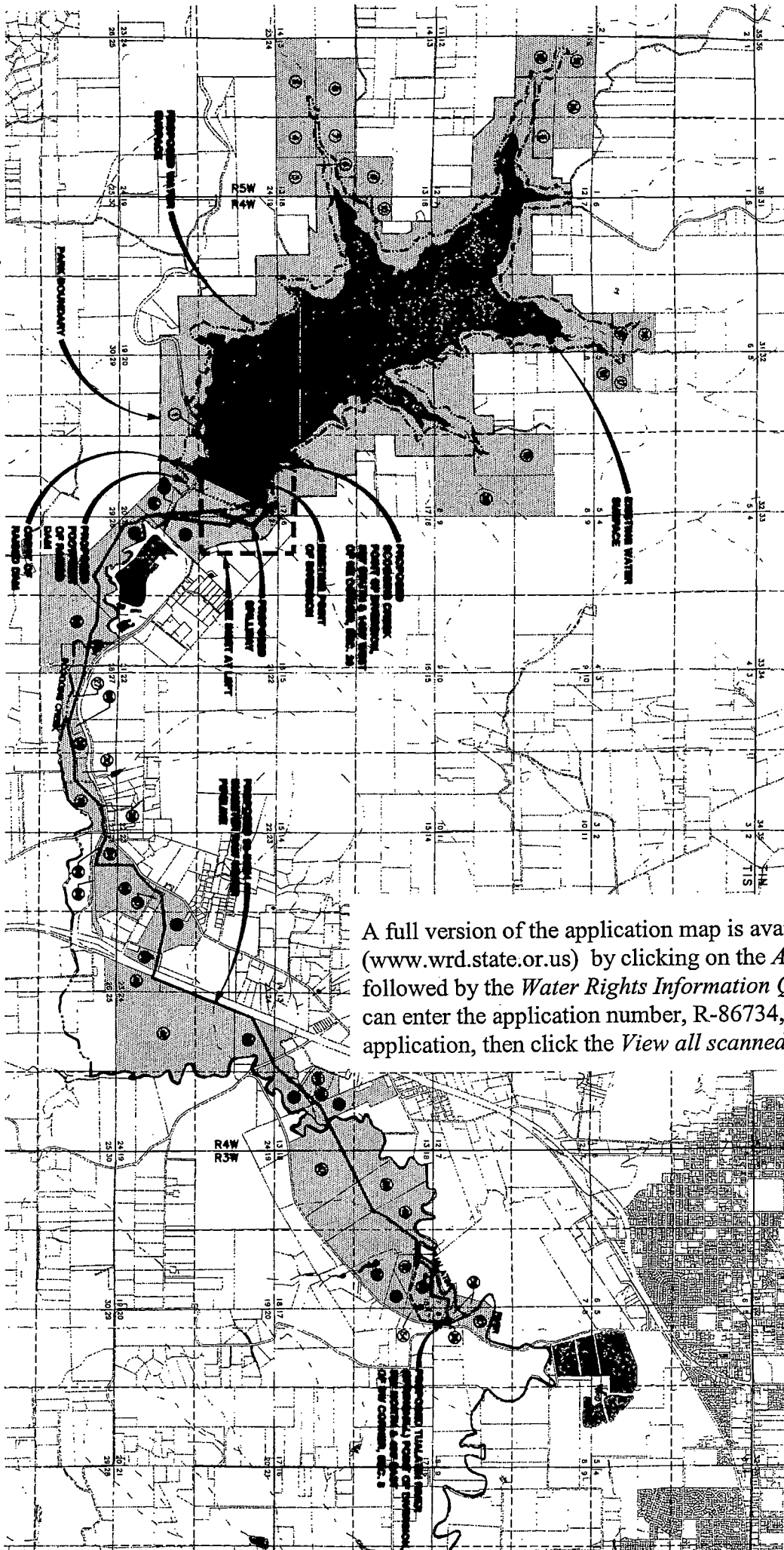
SECTION 13

TOWNSHIP 1 SOUTH, RANGE 5 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, July 20, 2007

PUBLIC NOTICE DATE: Tuesday, July 10, 2007

30 DAY COMMENT DEADLINE DATE: Thursday, August 9, 2007



A full version of the application map is available at our web site (www.wrd.state.or.us) by clicking on the *Access Database* link, followed by the *Water Rights Information Query* link where you can enter the application number, R-86734, select the application, then click the *View all scanned documents* link.