

Water Resources Department

725 Summer St NE, Suite A Salem, OR 97301 (503) 986-0900 Fax (503) 986-0904

May 3, 2021

Daniel E Davis PO Box 1741 Bandon OR 97411

On April 26, 2021, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application R-86769 Permit R-14660

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/Certificate.aspx

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$200.00 COBU recording fee

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file R-86769

Walter E White, CWRE

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #	‡ :	WRD Review	ver:	
Transfer #:				
Date Receive	ed:			
CWRE Name	2 :			
Priority Date	(s):			
Fees Required:				
□ YES NO □	A fee of \$200 must accompany the 1987, or later.	is form for <u>permit</u>	ts with priority dates of J	uly 9,
□ YES NO □	A fee of \$200 must accompany the with a priority date of July 9, 198 Example – A transfer involves has a priority date of July 9, 19	7, or later. 5 rights and one o	of the rights	Fill in App or Transfer
Map Review:				Number
☐ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b)) ☐ Application & permit #; or transfer # (OAR 690-014-0100(1))			MONEY SLIP DATE: RECEIPT #:	
☐ Disclaimer (OAR 6 ☐ North arrow (OAR ☐ CWRE stamp and s ☐ Appropriate scale (of the count	90-014-0170(5))	ize scale	1063 TREASURY 4270 WRD OPERATING ACCT. MISCELLANEOUS 0407 COPY & TAPE FEES 0410 RESEARCH FEES 0408 MSC REVENUE (DENTIFY) TC182 DEPOSIT LIAS (DENTIFY) 0206 EXTENSION OF TIME	5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5
Report Review	:		WATER RIGHTS	RECORD FEE
 □ Application & pern □ Ownership informa □ Date of survey (OA □ Person interviewed □ County (OAR 690- □ CWRE stamp and some content of the county of the coun	AR 690-014) (OAR 690-014)		WELL CONSTRUCTION WELL CONSTRUCTION OZAM FEE LANDOWNER'S PERMIT LANDOWNER'S PERMIT LANDOWNER'S PERMIT OZAM PRE OZAM FEE OZAM FEE	S
Groundwater I ☐ Pump Test not requ	File Review: aired (Priority Date prior to December 20, 1) (Priority Date on or after December 20, 1) ed	1988) *If no, includ	e pump test flyer w/acknowle	edgment letter

CLAIM OF BENEFICIAL USE for Reservoir Permits by CWRE's (not self-certified)



OREGON Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

www.oregon.gov/OWRD

A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.

Claims received without the correct fee of \$200 will be returned.

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. Begin each new claim by checking for a new version of this form at: https://www.oregon.gov/OWRD/Forms/Pages/default.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every item must have a response. If any requested information does not apply to the claim, insert "NA." Do not delete or alter any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx

SECTION 1

GENERAL INFORMATION

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1. File Information

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Application #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
R-86769	R-14660	NA

2.	Property	Owner	(current	owner	information	١
	LIOPCIL	Civilei	(COLL CITE	Citici	minormation	,

APPLICANT/BUSINESS NAME Daniel E. Davis		PHONE NO 541-297 -3		Additional Contact No.
ADDRESS PO Box 1741				
CITY	STATE	ZIP	E-Mail	
Bandon	OREGON	97411		

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. <u>Each</u> permit holder of record must sign this form.

3. Permit holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD			
Daniel E. Davis			
Address			
PO Box 1741			
Сіту	STATE	ZIP	
Bandon	OREGON	97411	

Additional Permit Holder of NA	RECORD		
Address			
Сіту	State	ZIP	

4. Date of Site Inspection:

March 1, 2021

5. Person(s) interviewed and description of their association with the project:

Name	DATE	Association with the Project
Daniel E. Davis	March 1, 2021	Owner

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6. County

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7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD			
na			
Address			
Сіту	STATE	ZIP	

Add additional tables for owners of record as needed

SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME		PHONE NO		Additional Contact No.
Walter White		541-266-9	9890	
Address				
275 Market Avenue				
Сіту	STATE	ZIP	E-MAIL	
Coos Bay	OREGON	97420	wwhite@sh	nn-engr.com

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Permit Holder's of Record Signature or Acknowledgement

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<u>Each</u> permit or transfer holder of record must sign this form in the space provided below.

OWRD

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

Signature	PRINT OR TYPE NAME	TITLE	DATE
	Daniel E. Davis	Owner	
Daniel & David			03-01-2]

CLAIM DESCRIPTION

1. Reservoir source and, if from surface water, the tributary:

RESERVOIR NAME OR NUMBER	Source	Tributary
3	Johnson Creek	Pacific Ocean

2. Developed use(s), period of use, and acre foot (af) for each use:

Reservoir	USES	SEASON OR MONTHS	VOLUME STORED		
NAME OR NUMBER		WHEN WATER	(AF)		
		WAS APPROPRIATED FOR			
	6/30/22	Storage			
3	Multiple Purpose	May 1-July31, and	7.4		
		October 1-October			
		31			
Total Quantity of Water Stor	Total Quantity of Water Stored				

3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the reservoir:

From POD-5 in Johnson Creek, a 7.5-HP pump transfers water from the Johnson Creek through a 4" PVC pipe to Reservoir 4, from Reservoir 4 through a 2" PVC pipe to Reservoir 1-A, from Reservoir 1-A through a 2" PVC pipe to Reservoir 3. The reservoir is refilled multiple times during operations.

Reservoir 3 has 2-12" PVC overflow pipes located at the South end to allow overflows back to the North Fork of Johnson Creek.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.



NO

(e.g. "The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

Reservoir 3 was permitted for maximum volume of 22.6 acres feet. Reservoir 3 volume is 7.4 acre feet as constructed. Reservoir 3 is refilled multiple time during operations.

5. Claim Summary:

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PERMIT (AF) DEVELOPED (AF)
7.4 with multiple refills
_

^{*}Use is limited to an instantaneous rate of 0.75 cfs. Pump has a theoretical capacity of 0.75 CFS.



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SYSTEM DESCRIPTION

Are there multiple reservoirs?

YES NO

If "YES" you will need to copy and complete Sections A through E for each reservoir.

Reservoir Name or Number this section describes (only needed if there is more than one):

Reservoir 3

A. Reservoir Location

1. Is the reservoir on-channel?



2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	Measured Distances
29s	14w	WM	6	NE SE			POD5-3215 FEET SOUTH AND 1068 FEET
							WEST FROM NE CORNER SECTION 6
29s	14w	WM	6	NE NE	1		DAM-973 FEET SOUTH AND 712 FEET WEST
							FROM NE CORNER SECTION 6

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

If "NO" items 2 through item 5 may be deleted.

2. Pump Information

Manufacturer	Model	SERIAL NUMBER	Type (centrifugal, turbine or submersible)
Worthington	D1011	799244	Centrifugal

3. Theoretical Pump Capacity

	0 501		1 D	T D
Horsepower	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO	TOTAL PUMP
		*IF A WELL, THE WATER LEVEL	PLACE OF USE	Оитрит
		DURING PUMPING		(IN CFS)
	-	40	42	0.75
7.5	5	10	43	0.75

4. Provide pump calculations:

Pump Capacity Calculation Sheet

using Department designed formula:

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(hp)(efficiency) / (lift + psi head) = capacity in cfs

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Efficiency:

OWRD-

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

$$HP = 7.5$$
Efficiency = 6.61
$$Lift = 53$$

$$PSI = \frac{53}{5}$$

Results Calculated

cubic feet per 0.75

Pump Capacity =

second

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Na			

Reminder: For pump calculations use the reference information at the end of this document.

6. Additional notes or comments related to the system:

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C. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?



D. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?



If "NO", items 2 through 4 relating to this section may be deleted.

- E. Reservoir
- 1. Does the reservoir require the submittal of as-built plans and specifications?



If "YES", answer item 2; items 3 through 8 relating to this section may be deleted. If "NO", skip items 2; answer items 3 through 8.

2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
NA			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	Surface area (in acres)	VOLUME (IN ACRE FEET)
10	10	0.74	7.4

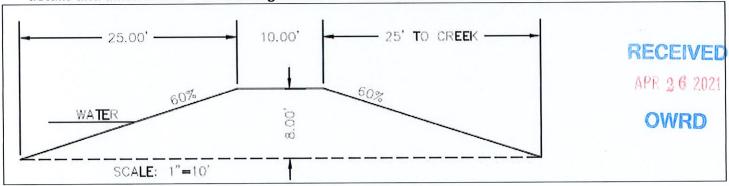
4. Provide reservoir volume calculations:

Avergae Depth 10 feetx0.74 Acres= 7.4 AF

5. Provide the following information concerning the physical characteristics of the dam:

5. Provide	tile lollowing ii	Hormation con	cerning the pin	Sical Characteri	sties of the daili.	
CREST	DAM HEIGHT	DISTANCE	DISTANCE	WATER LEVEL	DOWN-STREAM	UP-STREAM
WIDTH (W)	AT CENTERLINE	FROM	FROM	AT INSPECTION	SLOPE	SLOPE
	(H)	DOWNSTREAM	UPSTREAM			
		TOP OF DAM TO	TOP OF DAM			
		DOWNSTREAM	TO UPSTREAM			
		TOE (L)	TOE (U)			
10 feet	8 feet	25 feet	25 feet	10 feet	60%	60%

6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

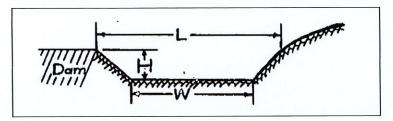


7. Describe the outlet works (size and type of the outlet conduit and location):

2-12" PVC outlet on South end of Reservoir 3 to the North Fork of Johnson Creek.

8. Describe the emergency spillway (dimensions and location):

Воттом width (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
NA		



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CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	October 14, 2008		
Begin construction (A)		1994	Reservoir and Bogs completed before purchase of the property in 2006
COMPLETE CONSTRUCTION (B)	Oct. 1, 2013	1994	Reservoir and Bogs completed before purchase of the property in 2006
COMPLETE APPLICATION OF WATER (C)	Oct. 1, 2014	1994	Reservoir and Bogs completed before purchase of the property in 2006. Totalizing flow meter installed and used in 2006.

^{*} must be within period between permit or any extension final order issuance and the date to completely apply water

2. Is there an extension final order(s)?

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device?

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?



c. Meter Information

POD/POA	MANUFACTURER	SERIAL#	Condition	CURRENT METER	DATE INSTALLED
NAME OR #			(WORKING OR NOT)	READING	
1	Sensus	66668548	Winterized in shop	80702 gallons	2007
_					

If a meter has been installed, items d through f relating to this section may be deleted.

ITEMS D-F HAVE BEEN DELETED

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4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted?

If the reports have not been submitted, attach a copy of the reports if available.



5. Outlet Pipe

a. Is the water user required to install a minimum 8"outlet pipe/conduit?

A size was not specified in the permit.

b. Has the outlet pipe been installed? 2-12" PVC INSTALLED



6. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?



YE	s NO

DATE	By Whom	
2009	Daniel Davis	

Reminder: If the permit or transfer final order was issued <u>on or after February 1, 2011</u>, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** <u>and</u> the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

Has the self-certification form previously been submitted to the Department? NA YES NC

If not, go to https://www.oregon.gov/OWRD/Forms/Pages/default.aspx (search for ODFW Small Pump Screen Self Certification), complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

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e. If the diversion does **not involve** a **pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

Has the ODFW approval been previously submitted?

 If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at https://www.oregon.gov/OWRD/Forms/Pages/default.aspx

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

7. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?



8. Other conditions required by permit, permit amendment final order, or extension final order

a. Was the water user required to restore the riparian area if it was disturbed?

b. Was a fishway required?

YES c. Was submittal of a letter from an engineer required prior to storage of water?

d. Was submittal of a water management and conservation plan required?



e. Other conditions?

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

At the time of inspection there was no disturbed riparian areas near POD-5.

The permittee shall monitor stream flow at the Johnson Creek point of diversion prior to and during diversion, and only divert water when flows exceed the following amounts: 4.0 CFS in May, 4.0 CFS in June, 1.0 CFS in July, and 2.0 CFS in October. In addition, the permittee shall report annually to the Water Resources Department all the natural stream flow data measured at the point of diversion on Johnson Creek.

SECTION 6

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
POD-5, Johnson Creek Flow Records	Copies of hand written notes from owner.
ODFW Fish Screen Letter	Fish Screen inspection Dated 7/9/13

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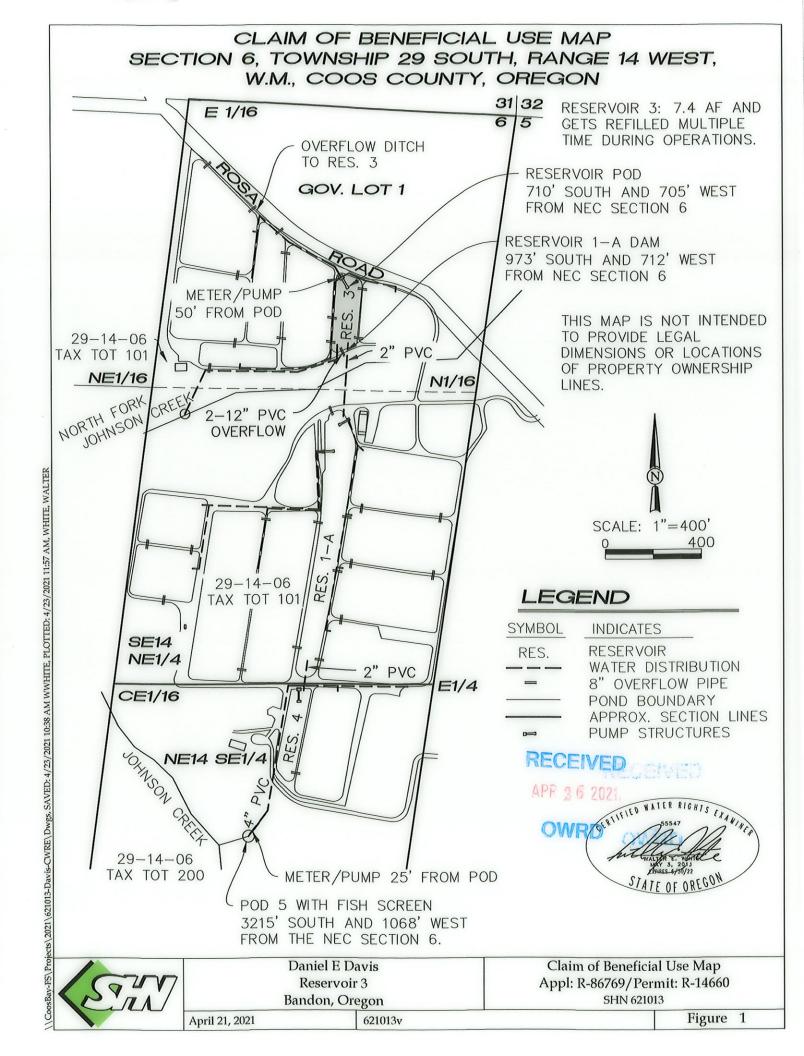
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CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1'' = 1320 feet, 1'' = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

•	GPS surv	vey from previous applications by Jordan Engineering.	
	Мар	Checklist	
		be sure that the map you submit includes ALL the items listed below. der: Incomplete maps and/or claims may be returned.)	
	\boxtimes	Map on polyester film.	
	\boxtimes	Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of assessor map)	the county
	\boxtimes	Township, Range, Section, Donation Land Claims, and Government Lots	
	\boxtimes	If irrigation, number of acres irrigated within each projected Donation Land Clair Government Lots, Quarter-Quarters	ms,
	\boxtimes	Locations of fish screens and/or fish by-pass devices in relationship to point of o	liversion
	\boxtimes	Locations of meters and/or measuring devices in relationship to point of diversi	on
	\boxtimes	Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)	
	\boxtimes	Point(s) of diversion or appropriation (illustrated and coordinates)	
	\boxtimes	Tax lot boundaries and numbers	
	\boxtimes	Source illustrated if surface water	
	\boxtimes	Disclaimer ("This map is not intended to provide legal dimensions or locations of ownership lines")	of property
	\boxtimes	Application and permit number or transfer number	DECT
	\boxtimes	North arrow	RECEIVED
	\boxtimes	Legend	APR 26 2021
	\bowtie	CWRE stamp and signature	OWDD



July 2018 Width 7' 7'
Av Depth 18" x1.5'
Area 10.5 Length 20' .83 Float 1/me 24 seconds 24/20 Coeficient. 85 x .83 = .70 ×10.5 7.35 CFS Oct 2018 Width 7' 7'
Av. Depth 12" x1'
area 7 Length 20' 6
Float time 30 seconds 30 120 RECEIVED Coeficient .85 x .66 = .56 ΔΜΑΩ

Johnson Creek 2018 Stream Flow measurement Float method May 2018
Width 7'
Av Depth X2'
area 14 Length 20' 18/20 Float time 18 seconds Coeficient .85 × 1,11= .94 June 2018
Width 7' 7
Av. Depil 20" X 1.66
Atan 11.62 Length 20' 20120 Float The 20 seconds Coeficient ,85 x 1= .85 OWRD

July 2019 Width 7' 7
Av Depth 17" X1-41
Area 9.87 Length 20 25/20 Float time 25 seconds Coeficient .85x.8 = .68 × 9.87 6.71 CFS October 2019 Widh 7' Av. Depth 11-5" Area -95 Length 20' 30/20 Float Time 30 seconds OWRD Coeficient . 85 x. 66 = .56 X6.65 3.72 RFS

Johnson Creek

2019 Stream flow Measurement Float Method

May 2019 Width 7' 7 AV. Depth 23" × 1.91 area 13.37

Length 20' 19/20 Float Time 19 seconds

Coeficient .85 x 1.05 = .89 x 13,37 11,89 CFS

June 2019 Width 7' 7 Av. Depth 19" ×1.58' area 11.06

Length 20' 21720 Floot Time 21 seconds

Coeficient .85x.95 -80

× 11.06

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8.84 CFS

APP 3.8 202

July 2020 Width 7' 7 Av Depth 17.5" x1.45' Area 10.15 Length 20' 24/20 Hoat Time 24 seconds Coeficient 85x.83= .70 X10.15 7.10 CFC 2020 Width 7' 7
Av. Depth 11.5" x-95'
Area 6-65 Length 20' 30/20 Flood Time 30 seconds Coeficient .85 x - 66 = -56 × 6.65 3.72 CFS RECEIVED

Johnson Creek

2020 stroom flow Measurement Floot Method

May 2020 Width 7' "1 Av. Depth 235" x195' Area 13.65

Length 20' 18/20 Floot Time 18 seconds

Cooficient .85 x 1.11 = .94 × 13.65 12.83 C.F.S

June 2020 Width 7' 7 Av. Dogoth 19.5 x 1.62 Area 11.34

Length 20' 20120 Float Time 20 seconds

Coeficient .85×1 .85 × 11.34 9.63 C.F.S

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Department of Fish and Wildlife

Rogue Watershed District Office 1495 East Gregory Road Central Point OR 97502 (541) 826-8774 (541) 826-8776 dfw.state.or.us



July 9, 2013

Dan Davis P.O. Box 1741 Bandon, OR 97411

Dear Dan,

Regarding OWRD water right permit S 54595, (Application S 86770), ODFW is satisfied that the fish screening in place is up to current standards, and has determined that a bypass device is not necessary.

Sincerely,

Rich Kilbane

RURL

SW Field Coordinator

Fish Screening and Passage Program

(541) 826-8774 ext. 243

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