

Application No. S 88758

Permit No. S-55283

Certificate No. _____

FEEES PAID

Date	Amount	Receipt No.
3-14-19	\$1,800.00	129333
	Cert. Fee	

Name S-88758
 By William H. Hoag
 Address 2750 Mill Cr.
Prospect, OR. 97536

C2025

Date

DENIED _____

MISFILED _____

Volume | Page

WITHDRAWN _____

CANCELLED _____

FEEES REFUNDED

Date	Amount	Receipt No.

Priority 3-14-19

County JACKSON WM# 13

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT

Date

Completion 12/11/2025

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

REMARKS _____

MAP LOCATION _____

MFB 3-20-19

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

S-88758
 William H. Hoag
 2750 Mill Creek Dr.
 Prospect, OR. 97536



9590 9402 4402 8248 9984 93

2. Article Number (Transfer from service label)

7018 0360 0000 1344 9411

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *William H. Hoag*

- Agent
 Addressee

B. Received by (Printed Name)

William H. Hoag

C. Date of Delivery

7-21-2020

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

RECEIVED
JUL 23 2020

OWRD

3. Service Type

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- Adult Signature Restricted Delivery
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- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
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- Insured Mail Restricted Delivery (over \$500)

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- Registered Mail™
- Registered Mail Restricted Delivery
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- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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USPS
Permit No. G-10

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Oregon Water Resources Department
725 Summer St. Ne. Suite A
Salem, Or. 97301





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Permit No. G10*

14

Oregon

Water Resources Department
Water Right Services Division
725 Summer St NE Ste A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

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FIRST CLASS



U.S. POSTAGE >> PERMIT BOXES

ZIP 97301 \$ 000.39³
02 45
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S-88758
William H. Hoag
2750 Mill Creek Dr.
Prospect, OR. 97536

RECEIVED

JUN 15 2021

OWRD

ETA445B 97536



OLD:

*WILLIAM HERBERT HOAG
2750 MILL CREEK DR
PROSPECT OR 97536-9723*

NEW:

*908 SUNSET AVE
MEDFORD OR 97501-2577*

TO THE POSTMASTER OF

**725 SUMMER ST NE STE A
SALEM OR 97301-9998**



Mailing List for FO/Permit Copies

Application S-88758

Permit S-55383

Original mailed to applicant:

WILLIAM H. HOAG
2750 MILL CREEK DR
PROSPECT OR 97536

Copies Mailed

By: TM
(SUPPORT STAFF)

on: 12/11/2020
(DATE)

Sent via auto email:

1. WRD – Watermaster District #13, Shavon L. Haynes
2. WRD - Jake Johnstone SWR

Copies sent to:

3. WRD – File # S-88758
4. WRD – SW Section

Application Specialist: Kim French

ORDER

Application S-88758 is approved and Permit S-55283 is issued.

DATED DEC 11, 2020



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact Kim French at Kim.R.French@oregon.gov or 503-986-0816.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503 986-0900.
-

STATE OF OREGON
COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM H. HOAG
2750 MILL CREEK DR
PROSPECT OR 97536

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-88758

SOURCE OF WATER: ROGUE RIVER, TRIBUTARY TO PACIFIC OCEAN

PURPOSE OR USE: HUMAN CONSUMPTION USE (INDOOR USE ONLY: COOKING,
DRINKING, SANITATION) FOR ONE HOUSEHOLD

MAXIMUM RATE: 0.005 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 500 GALLONS
PER DAY

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: MARCH 14, 2019

AUTHORIZED POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
33 S	2 E	WM	9	SE NE	2774 FEET NORTH AND 282 FEET WEST FROM SE CORNER, SECTION 9

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q
33 S	2 E	WM	16	NW NE

1. Water Use Measurement, Recording, and Reporting Condition:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter 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 permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.

- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Fish Screen Condition:

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

3. Riparian Condition:

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

4. Water Quality Condition:

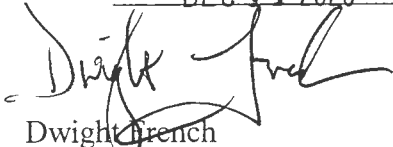
The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

STANDARD CONDITIONS

1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
2. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
3. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
4. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
5. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

6. 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. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
7. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
8. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued DEC 11 2020



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



Oregon
Kate Brown, Governor

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

NOTICE TO PERMITTEE

Carefully review the appeal rights included on the first page of your final order. In some cases, if OWRD receives a request for reconsideration or petition for judicial review within 60 days of the date the final order was served, OWRD may take action to withdraw or modify the final order, or issue a final order denying your application.

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx> , or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste. A, Salem OR 97301.

PERMIT CONDITION FORMS: This permit may specify conditions that require you to submit a form to the Department. These forms are available from the Oregon Water Resources Department web site at <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx> .

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

For Question, please call our customer service desk at 503-986-0801.

Mailing List for Draft Permit Copies

Application S-88758

PFO Date July 7, 2020

Original mailed via CERTIFIED MAIL to applicant:

WILLIAM H. HOAG
2750 MILL CREEK DR
PROSPECT OR 97536

Copies Mailed

By: TH
(SUPPORT STAFF)

on: 7/7/2020
(DATE)

Sent via auto email:

1. WRD – Watermaster District #13, Shavon L. Haynes
2. WRD - Jake Johnstone SWR

Copies sent to:

3. WRD – File # S-88758
4. WRD – SW Section

Application Specialist: Kim French

**Oregon Water Resources Department
Water Right Services Division**

Water Right Application S-88758 in the)
name of WILLIAM H. HOAG)
)

PROPOSED FINAL ORDER

Summary: The Department proposes to issue an order approving Application S-88758 and a permit consistent with the attached draft permit.

Authority

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.153 through 537.175, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 33, 300, 310, 400, 410, and the Rogue Basin Program (OAR 690-515). These statutes and rules can be viewed on the following website: <https://www.oregon.gov/OWRD/programs/policylawandrules/Pages/default.aspx>.

The Department’s main website can be found at: <https://www.oregon.gov/OWRD>.

The Department shall presume that a proposed use will not impair or be detrimental to the public interest if:

- a) The proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12);
- b) Water is available;
- c) The proposed use will not injure other water rights; and
- d) The proposed use complies with the rules of the Commission. ORS 537.153(2); OAR 690-310-0110(1)

All four criteria must be met for a proposed use to be presumed to not impair or be detrimental to the public interest. When the criteria are met and the presumption is established, or if the proposed use can be modified or conditioned to meet the presumption criteria, the Department must further evaluate the proposed use, any comments received, information available in its files or received from other interested agencies and any other available information to determine whether the presumption is overcome. OAR 690-310-0120(3).

If the Department determines that the presumption is established and not overcome, the Department shall issue a Proposed Final Order recommending issuance of the permit subject to any appropriate modifications or conditions.

FINDINGS OF FACT

Application History

1. On March 14, 2019, William H. Hoag filed a complete application for the following water use:

Source	ROGUE RIVER, TRIBUTARY TO PACIFIC OCEAN
Use	DOMESTIC USE FOR ONE HOUSEHOLD
Rate	0.005 CUBIC FOOT PER SECOND (CFS)
County	JACKSON COUNTY
Place of Use	SECTION 16, TOWNSHIP 33 SOUTH, RANGE 2 EAST, W.M.

2. On June 21, 2019, the Department mailed the applicant notice of its Initial Review, determining that **“The diversion of 0.005 CFS of water from Rogue River, tributary to Pacific Ocean, for year-round domestic use for one household is not allowable.”** The applicant did not notify the Department to stop processing the application within 14 days of that date.
3. On June 25, 2019, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about obtaining future notices and a copy of the Proposed Final Order.
4. On September 23, 2019, the applicant submitted the Application Supplement for Human Consumption and Livestock Uses form, as requested in the Initial Review.

Presumption Criteria (a) Consistency with Basin Program

5. The proposed use is allowed under the Rogue Basin Program (OAR 690-515-0000(1)(a)(E)). ORS 537.153(2); OAR 690-310-0110(1)(a)

Presumption Criteria (b) Water Availability

6. An assessment of water availability at 80% exceedance for the proposed use was completed using the Department’s Water Availability Reporting System. A copy of this assessment is in the application file. This review is done consistent with OAR 690-410-0070(2)(a). The assessment established that water **surface water is not available at any time of the year**. ORS 537.153(2); OAR 690-310-0150(2)(c)

Presumption Criteria (c) Injury Determination

7. The proposed use will not injure other water rights. ORS 537.153(2); OAR 690-310-0150(2)(e)

Presumption Criteria (d) Whether the Use Complies with Rules of the Commission

8. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright. ORS 537.153(2)(b); OAR 690-310-0150(2)(b)
9. The proposed use is in an area of the state in which OAR 690-033-0310 thru -0340 applies. These rules establish definitions, additional procedures, and standards to aid the Department in determining whether a proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened, or endangered fish species.

OAR 690-033-0310 Statewide Rules

- A. The proposed use occurs occur in an area that may affect the habitat of sensitive, threatened or endangered fish species. OAR 690-033-0310(2)
- B. The applicant has been notified that based on a preliminary determination, the proposed use may affect the habitat of sensitive, threatened or endangered fish species and the application may be conditioned or denied. OAR 690-033-0330(1)(a)
- C. The interagency review team has been notified that an application has been received in an area that may affect the habitat of sensitive, threatened or endangered fish species. OAR 690-033-0330(1)(b)
- D. The interagency review team was convened to review the application and recommended conditions as necessary to achieve the standards listed in 690-033-0330(2)(a) and (b) . The draft permit contains conditions numbered 2-4 that require fish screening and bypass devices, the protection of riparian habitat and the protection of water quality. Oregon DEQ also recommended that the applicant develop a plan to conserve water. The applicant, as provided in the application materials, has proposed to only use water for human consumption use, not to exceed 500 gallons per day. The Department has determined that these limitations will be included in any permit issued for this application and serve as a plan to conserve water.

Determination of Presumption that a Proposed Surface Water Use will not Impair or be Detrimental to the Public Interest

- 10. Based on the review of the presumption criteria (a)-(d) above, the presumption has **not** been established. ORS 537.153(2); OAR 690-310-0110(1)(a)-(d)
- 11. OAR 690-310-0120(2)(b) states that when the presumption is not established, the Department shall determine whether the proposed use will impair or be detrimental to the public interest considering the factors in ORS 537.170(8), and may make specific findings to demonstrate that even though the presumption is not established, the proposed use will not impair or be detrimental to the public interest, and propose approval of the application with appropriate modifications or conditions.

690-310-0260 Public Interest Findings

- 12. The proposed use is located above the Rogue Scenic Waterway, as designated under ORS 390.826.
- 13. The proposed diversion and use of water does not significantly impair the free-flowing character of these waters in quantities necessary for recreation, fish and wildlife.
- 14. The proposed diversion and use of water is consistent with the provisions of ORS Chapters 536 and 537 and OAR 690.
- 15. Construction, operation and maintenance of the diversion system will be carried out in a manner consistent with the purposes set forth in ORS 390.805 to 390.925.
- 16. Water rights for human consumption shall not exceed 0.005 cubic feet per second per household. OAR 690-310-0260(2)(d)

17. After considering alternative water sources, including groundwater, stored water, purchased trucked water, community and municipal suppliers, and transfers of existing water rights, the applicant provided documentation that there are no reasonable alternative sources of water.
18. Denial of the application will result in loss of reasonable expectations for use of the property.
19. The Director shall limit the total water use authorized under OAR 690-310-0260(5) within or above each scenic waterway to no more than a combined cumulative total of one percent of the average daily flow or 1.0 CFS, whichever is less. One cubic foot per second is the less and as of the date of this application, 0.04 CFS of the total 1.0 CFS for human consumption use has been appropriated.

Other Criteria and Requirements

20. Pursuant to the provisions of ORS 390.835 and OAR 690-310-0260, the Director is authorized to issue water rights for human consumption use within or above a designated reach of a scenic waterway when flows are less than quantities necessary for recreation, fish, and wildlife. OAR 690-310-0260(2)(a)
21. The amount requested, 0.005 CFS, is necessary for the proposed use, if further limited to 500 gallons per day.
22. The applicant proposed methods to measure the amount of water diverted, prevent damage to aquatic life and riparian habitat, prevent discharge of contaminated water to a surface stream, or to prevent damage to public uses of any affected surface waters. These measures are adequate at this time. OAR 690-310-0150(2)(j)

Further Evaluation of the Proposed Use

23. Pursuant to ORS 537.170(8), the Department has considered the following factors:
 - A. The maximum economic development of the waters involved: The applicant has demonstrated that denial of this application would result in loss of reasonable expectations for use of the property. OAR 690-310-0260(4)(c)
 - B. The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control: Human consumption use includes uses of water for sanitation (OAR 690-300-0010(24)). Because the applicant has no other reasonable source of water to provide sanitation to their home, human consumption use is necessary to provide the beneficial use of sanitation to the applicant.
 - C. The amount of waters available for appropriation for beneficial use: Water is not available for the proposed use during the full period requested.
 - D. The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved: The use will be conditioned to require reasonable use of the water and measurement, recording, and reporting conditions as required under ORS 390.835(6)(d)(C).
 - E. All vested and inchoate rights to the waters of this state or to the use of waters of this state, and the means necessary to protect such rights: Issuance of this right may increase the likelihood that water may not be available for all water rights.

F. The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.534: ORS 536.310(3) provides that "adequate and safe supplies be preserved and protected for human consumption use, while conserving maximum supplies for other beneficial uses." Because the proposed use is human consumption there is a preference for this use over all other uses.

24. No comments were received by the close of the comment period. OAR 690-310-0120(3)
25. Information available in department files, received from other interested agencies, and other available information does not provide a preponderance of evidence that the proposed use would impair or be detrimental to the public interest under ORS 537.153. OAR 690-310-0120(3)
26. The Department determines the proposed use will not impair or be detrimental to the public interest considering the factors in ORS 537.170(8), and even though the presumption is not established, the proposed use will not impair or be detrimental to the public interest.

CONCLUSION OF LAW

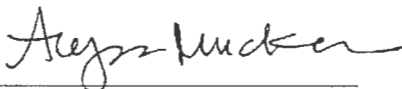
1. The proposed use would not impair or be detrimental to the public interest as described in ORS 537.153(2).

NOTE: When issuing permits, ORS 537.170(6) authorizes the Department to include provisions or restrictions concerning the use, control and management of water to be appropriated for the project.

PROPOSED ORDER

The Department recommends approval of Application S-88758 and issuance of a permit consistent with the attached draft permit.

DATED July 7, 2020



Alyssa Mucken
Water Rights Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for groundwater), you can protest this Proposed Final Order. Protests must be received by the Water Resources Department no later than **August 21, 2020**.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Protests must be in writing and include the following:

- Your name, address, and telephone number;
- A description of your interest in the Proposed Final Order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in the Proposed Final Order would impair or be detrimental to your interest;
- A detailed description of how the Proposed Final Order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known;
- To affect the Department's determination that the proposed use in this application will, or will not, impair or be detrimental to the public interest, ORS 537.153(6) requires that a protest demonstrate, by a preponderance of evidence any of the following: (a) One or more of the criteria for establishing the presumption are, or are not, satisfied; or (b) The specific aspect of the public welfare, safety and health under ORS 537.170(8) that would be impaired or detrimentally affected, and specifically how the identified aspect of the public welfare, safety and health under ORS 537.170 (8) would be impaired or be adversely affected;
- If you are the applicant, a protest fee of \$410 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$810 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing.

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for groundwater), persons other than the applicant who support a Proposed Final Order can request standing for purposes of participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **August 21, 2020**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;

- A statement that the requester supports the Proposed Final Order as issued;
- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and
- A standing fee of \$230. If a hearing is scheduled, an additional fee of \$580 must be submitted along with a petition for party status.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and either:

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a prima facie case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an agency representative may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free telephone number.

-
- If you have any questions about statements contained in this document, please contact Kim French at Kim.R.French@oregon.gov or 503-986-0816.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
 - Address any correspondence to : Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
Fax: 503-986-0901
-

STATE OF OREGON

COUNTY OF JACKSON

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

WILLIAM H. HOAG
2750 MILL CREEK DR
PROSPECT OR 97536

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-88758

SOURCE OF WATER: ROGUE RIVER, TRIBUTARY TO PACIFIC OCEAN

PURPOSE OR USE OF THE WATER: HUMAN CONSUMPTION (INDOOR USE ONLY:
COOKING, DRINKING, SANITATION) FOR ONE HOUSEHOLD

MAXIMUM RATE: 0.005 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 500 GALLONS
PER DAY

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: MARCH 14, 2019

AUTHORIZED POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
33 S	2 E	WM	9	SE NE	2774 FEET NORTH AND 282 FEET WEST FROM SE CORNER, SECTION 9

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q
33 S	2 E	WM	16	NW NE

1. **Water Use Measurement, Recording, and Reporting Condition:**

- A. Before water use may begin under this permit, the permittee shall install an inline flow restrictor 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 permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Fish Screen Condition:

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

3. Riparian Condition:

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

4. Water Quality Condition:

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

STANDARD CONDITIONS

- 1. Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
- 2. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
- 3. This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
- 4. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

5. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
6. 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. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
7. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
8. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued _____

DRAFT - THIS IS NOT A PERMIT

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

FRENCH Kim R * WRD

From: HAYNES Shavon L * WRD
Sent: Wednesday, July 01, 2020 7:37 AM
To: FRENCH Kim R * WRD
Subject: Re: S-88758 Hoag

Kim,

Thanks for sharing the HC completed form. The water that will go to his place is going to be delivered via the Nye Ditch Improvement District. Where they divert water there are actually no storage facilities with domestic water available to him. HC is the only option available other than a transfer but he was not able to find any from lands.

Shavon Haynes

Get [Outlook for iOS](#)

From: FRENCH Kim R * WRD <Kim.R.French@oregon.gov>
Sent: Wednesday, July 1, 2020 7:31:36 AM
To: HAYNES Shavon L * WRD <Shavon.L.Haynes@oregon.gov>
Subject: RE: S-88758 Hoag

Thanks Shavon,

He did write on his HC exception form that he had bypass surgery, but that he was doing ok now. I have attached a copy of his completed form. I'm not really concerned about it, but Alyssa is questioning it, so I have to jump through all the hoops.

Thanks again,

Kim French | Water Rights Application Specialist
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503 986-0816 | Email: kim.r.french@oregon.gov
Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Life is too short to spend one minute unhappy! Be Happy!

From: HAYNES Shavon L * WRD <Shavon.L.Haynes@oregon.gov>
Sent: Tuesday, June 30, 2020 5:07 PM
To: Christi Haines <HainesCL@jacksoncounty.org>; FRENCH Kim R * WRD <Kim.R.French@oregon.gov>
Subject: Re: S-88758 Hoag

Kim,

Let me reach out to the LO. There may have been a medical issue with him for the reason the HC has not been pursued.

Shavon Haynes (him/his)

District 13 Watermaster – Field Services
10 S. Oakdale, Room 309a Medford, Oregon 97501 | Phone (w) 541-774-6883 (c) 541-218-5125
Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Christi Haines <HainesCL@jacksoncounty.org>
Sent: Tuesday, June 30, 2020 3:50 PM
To: FRENCH Kim R * WRD <Kim.R.French@oregon.gov>; HAYNES Shavon L * WRD <Shavon.L.Haynes@oregon.gov>
Subject: RE: S-88758 Hoag

Kim,

I really don't know. Shavon, are you familiar with this application and have an answer for Kim?

Thanks,

"We're all in this together"

Christi Haines
Office Assistant IV
Jackson County Watermaster's Office
10 S. Oakdale Avenue #309
Medford, OR 97501
541-774-6880 Phone
541-774-6187 Fax
hainescl@jacksoncounty.org



Data provided by this office is based on the best and most current information available within our files and the Oregon Water Resources data base. The "Official Records" for Water Rights however, reside in the Oregon Water Resources Department Salem office. For additional information, please contact the Oregon Water Resources Department at 1-503-986-0900 or at www.wrd.state.or.us.

From: FRENCH Kim R * WRD <Kim.R.French@oregon.gov>
Sent: Monday, June 29, 2020 1:36 PM
To: Christi Haines <HainesCL@jacksoncounty.org>
Subject: EXT: S-88758 Hoag

Hi Christi,

We spoke about this application a while back and I wanted to check in with you about it. I'm getting ready to issue the PFO, but I see on his HC Exception Form that he can possibly get water from the Nye Ditch Improvement District. Do you know why he's not pursuing that? I'm assuming because it's expensive.

Thanks,

Kim French | Water Rights Application Specialist

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503 986-0816 | Email: kim.r.french@oregon.gov

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PROPOSED FINAL ORDER

<input type="checkbox"/>	<input checked="" type="checkbox"/>	IR Date: 4/21/19	Noticed On: 4/25/19	Comment Deadline: 7/25/19	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Elec/Written comments?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Add commenter to mailing list
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Comment Evaluation:	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> NA
<input type="checkbox"/>	<input checked="" type="checkbox"/>	IR Requested add'l info?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	HC EXCEPT FORM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add'l info received?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Date Rec'd: 9/23/19
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Changes from IR determinations: APPROVE			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Req'd before permit	<input checked="" type="checkbox"/> NA	<input type="checkbox"/> recording fees	<input type="checkbox"/> LU <input type="checkbox"/> easement <input type="checkbox"/> plans/specs <input type="checkbox"/> storage contract

Summary of Conditions

<input type="checkbox"/>	<input type="checkbox"/>	Small < 0.1 CFS, < 9.2 AF
<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Large > 0.25 CFS, > 100 AF
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA GW Conditions:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> NA Division 33 Conditions: FISH SCRIN; RYP; REIT; JOO APP; NO WATER CONS NEA

Signatures

Caseworker: Kim R. French	Date: 4/23/2020
Peer Reviewer signature:	Date
Manager signature:	Date

FINAL ORDER

<input type="checkbox"/>	<input type="checkbox"/>	PFO Date:	Protest Period Ended:		
<input type="checkbox"/>	<input type="checkbox"/>	Name and/or address changed or assignment received?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	PFO requires modification?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	If so,			
<input type="checkbox"/>	<input type="checkbox"/>	If PFO requires modification, include modified Hearing Rights	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	Was a standing paid for?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> FO w/ Permit	<input type="checkbox"/> FO w/Draft Permit; still need	<input type="checkbox"/> FO to deny:	
		Permit #	<input type="checkbox"/> Recording Fees	Refund \$	
			<input type="checkbox"/> Easement		
			<input type="checkbox"/> Storage Contract		
			<input type="checkbox"/> Land Use Approval		
			<input type="checkbox"/> Approved Dam Plans/Specs		

Signatures

Caseworker: Kim R. French	Date:
Peer Reviewer signature:	Date
Manager signature:	Date

Application #: S-88758

Applicant: WILLIAM H. HOAG

PERMIT

PR	CW		
<input type="checkbox"/>	<input type="checkbox"/>	Permit #	
<input type="checkbox"/>	<input type="checkbox"/>	Received required information	Date:
		<input type="checkbox"/> Recording Fees	
		<input type="checkbox"/> Easement	
		<input type="checkbox"/> Storage Contract	
		<input type="checkbox"/> Land Use Approval	
		<input type="checkbox"/> Approved Dam Plans/Specs	
<input type="checkbox"/>	<input type="checkbox"/>	Prepared cover letter?	

Fees

PR	CW						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	0.005	CFS	Base	930		
			AF	Up to 1 CFS	350		
				Add'l CFS @ \$350/CFS			
				Up to 20 AF @ \$35/AF			
				Add'l AF @ \$1.20/AF			
		1	Well(s)/POD(s)	Add'l POD/POA			
		1	Use(s)	Add'l Use			
				Exam Fee Req'd	1280	Rec Fee Req'd	500
				Exam Fee Paid	1280	Rec Fee Paid	500
				Still Owed/Refund	0	Pay before Permit	0

Mailing List

PR	CW		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Authorized Agent	
		<input checked="" type="checkbox"/> Watermaster #13	
		<input checked="" type="checkbox"/> SWR	<input type="checkbox"/> NCR
		<input checked="" type="checkbox"/> SW Section (if SW, GW with PSI, or SWW. If SWW, include copy of yellow sheet)	
		<input type="checkbox"/> ALO	
		<input type="checkbox"/> ALO	
		<input type="checkbox"/> CWRE	
		<input type="checkbox"/> District	
		<input checked="" type="checkbox"/> Division 33	
		<input type="checkbox"/> DSL (if reservoir)	
		<input type="checkbox"/> Any appropriate local government	
		<input type="checkbox"/> Commenter(s)	
		<input type="checkbox"/> Kerri Cope if WMCP required (FO ONLY)	
		<input type="checkbox"/> Ann Reece if applicant is an Irrigation District (FO ONLY)	

Notes:

STANDARD APPLICATION CHECKLIST

Application #: S-88758	Applicant: WILLIAM H. HOAG	
Basin # 15	Priority Date: March 14, 2019	WM#: 13

INITIAL REVIEW

PR	CW		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	ORS 538 prohibits use?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (stop processing and return app and fees)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Requested Use/Rate/Season:	HC; 0.005 CFS; 4R; 1HSHLD - 5006 PD
		Limit:	Duty:
<input type="checkbox"/>	<input type="checkbox"/>	Allowed Use/Rate/Season:	
		Limit:	Duty:

Use

PR	CW				
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Use is	<input checked="" type="checkbox"/> Allowed	<input type="checkbox"/> Not Allowed	<input type="checkbox"/> Limited
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Per	<input type="checkbox"/> Compact	<input checked="" type="checkbox"/> OAR: 690-515-0000(L)(a)(E)	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	POU Conflict?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Supplemental?	<input checked="" type="checkbox"/> NA	<input type="checkbox"/> No	<input type="checkbox"/> Yes, Limits
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Conservation Methods?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	

Land Use

PR	CW					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Allowed Outright	<input type="checkbox"/> Not Allowed	<input type="checkbox"/> Being Pursued	<input type="checkbox"/> Not Being Pursued	<input type="checkbox"/> Decision Obtained
		<input type="checkbox"/> Receipt Only	<input type="checkbox"/> NA			

Scenic Waterway

PR	CW					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Is POD within/above a SWW?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Above	<input type="checkbox"/> Within	Name: <u>ROGUE</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	If GW, is there a P of E?	<input type="checkbox"/> NA	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If interference, check and print WARS tables
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	If GW, Add condition	<input type="checkbox"/> 7J	<input checked="" type="checkbox"/> NA		

Groundwater

PR	CW	<input checked="" type="checkbox"/> NA				
<input type="checkbox"/>	<input type="checkbox"/>	GW Rev:	<input type="checkbox"/> NA	<input type="checkbox"/> will likely be available	<input type="checkbox"/> will likely not be available	<input type="checkbox"/> will, if properly conditioned
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> No PSI	<input type="checkbox"/> well	Has PSI with		
<input type="checkbox"/>	<input type="checkbox"/>	PSI caused from	<input type="checkbox"/> ¼ mile	<input type="checkbox"/> > 5 CFS	<input type="checkbox"/> Instream Q	<input type="checkbox"/> > 1% of 80% <input type="checkbox"/> Interference > 25%
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reduce rate to avoid PSI				
<input type="checkbox"/>	<input type="checkbox"/>	GW Conditions:				
<input type="checkbox"/>	<input type="checkbox"/>	Well construction meets minimum standards?	<input type="checkbox"/> Yes	<input type="checkbox"/> No (deny)	<input type="checkbox"/> NA (proposed well)	

Wells

Notes: NEED HC EXCEPTION FORM

Surface Water Availability

PR	CW					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> NA	<input checked="" type="checkbox"/> 80%	<input type="checkbox"/> 50%	Available: NDT AVAIL	WID: 272
		<input type="checkbox"/> Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoeg Cr (including Mission Cr and Case Cr)				

Reservoir Information

PR	CW	<input checked="" type="checkbox"/> NA			
<input type="checkbox"/>	<input type="checkbox"/>	Reservoir Name:			Dam Height:
<input type="checkbox"/>	<input type="checkbox"/>	Use(s) of stored water:			
<input type="checkbox"/>	<input type="checkbox"/>	Statutory?	<input type="checkbox"/> No	<input type="checkbox"/> Yes – Plan/Specs required – include DAMENG AND DAMSTD in conditions	

Measurement, Recording, and Reporting Conditions

PR	CW				
<input type="checkbox"/>	<input type="checkbox"/>	Small < 0.1 CFS, < 9.2 AF			
<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Large > 0.25 CFS, > 100 AF			
		<ul style="list-style-type: none"> • use at least Medium for: Siltcoos Lake, stored water contract, and Sandy Basin ground water. • use Large for: Tenmile Lake, NU or other temp control, and gov. entities <u>HC exceptions</u>; and if GW in South Salem Hills, or 10+ acres in Stage Gulch CGWA; Large-7g, Large-7i for 7g/7i. 			

Division 33

PR	CW				
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Subject to Division 33?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>		UPPER COLUMBIA OAR 690-033-0120 (DIV331) (not allowed 4/15 - 9/30)		<input type="checkbox"/> UPPER COLUMBIA AND STATEWIDE (DIV334) (not allowed 4/15 - 9/30)	
<input type="checkbox"/>		LOWER COLUMBIA OAR 690-033-0220 (DIV332)		<input type="checkbox"/> LOWER COLUMBIA AND STATEWIDE (DIV335)	
<input checked="" type="checkbox"/>		STATEWIDE ONLY OAR 690-033-0330 (DIV333)			

Other Information

PR	CW									
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Is App within a District boundary?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	cc: NYE DITCH					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	MU or QM	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> change construction finding to 20 years					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Form M reviewed	<input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes	Recommendations:					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Storage Contract	<input checked="" type="checkbox"/> NA	<input type="checkbox"/> BOR	<input type="checkbox"/> Doug Co	<input type="checkbox"/> CORP	<input type="checkbox"/> Needed	<input type="checkbox"/> Obtained	#	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	POD is within North Umpqua or Tenmile Lake for domestic use and spreadsheet was updated							<input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Forms included	<input type="checkbox"/> NA	<input type="checkbox"/> HC Exception (receipts/well logs attached)		<input type="checkbox"/> Spring Description		<input type="checkbox"/> Form M		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	App/Map meet minimum requirements	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Missing?					
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Letter format	<input type="checkbox"/> Good	<input checked="" type="checkbox"/> Bad	<input type="checkbox"/> Limited	<input type="checkbox"/> Bad with rate reduction opportunity				
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Scanned images exist for application and map								
<input type="checkbox"/>	<input type="checkbox"/>									

Signatures

Caseworker: Kim R. French	Date: 6/7/19
Peer Reviewer signature: Lisa G.	Date: 6.13.19



Oregon Water Resources Department
Point of Diversion Characteristics

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Point of Diversion Characteristics

Right:	App: S 88758 *
Name:	WILLIAM HOAG

TRSQQ: 33.00S-02.00E-09-SENE

County: Jackson

Basin: Rogue

WM District: 13

WM Region: SW

Withdrawn Area:

WAB: ROGUE R > PACIFIC OCEAN - AB RED ROCK CAN (272)

Priority WAB: ROGUE R @ 14337600 (OWRD: Fair, ODFW: Moderate) (31530709)

Rule 4D:

Groundwater Restricted Area:

Scenic Water Way: ABOVE The Rogue Scenic Waterway

Division 33: Statewide ✓

Water Quality Limited:

UPPER ROGUE ✓

WATER RESOURCES DEPARTMENT

DIVISION 515

ROGUE BASIN PROGRAM

690-515-0000

Upper Rogue Basin

(1) Classifications:

(a) In accordance with ORS 536.220, 536.300, 536.310, and 536.340, the waters of the upper Rogue River Basin are classified with the following exceptions:

(E) In accordance with ORS 538.270, the waters of the main channel of the Rogue River (excluding tributaries) from its intersection with the south line of Section 27, T33S, R1E, W.M. to its confluence with the Pacific Ocean, are withdrawn from appropriation for any purpose except domestic, stock, irrigation, municipal, fish, wildlife, recreation, and road maintenance;



Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App: S 88758 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
CERT.54020_OR*	OREGON DEPARTMENT OF FISH AND WILDLIFE	R-37618	R-8140	54020	5/7/1962	NC	FI	33.00S-02.00E-16-NWNE	<input type="checkbox"/>			
CERT.76185_CF_CR*	HOWARD BISHOP	S-19216	S-14809	76185	3/19/1941	NC	IR	33.00S-02.00E-16-NWNE	<input type="checkbox"/>			8.2000
CERT.66597_OR*	JAMES HOLT	S-68327	S-49343	66597	4/15/1985	NC	IS	33.00S-02.00E-16-NWNE	<input type="checkbox"/>			8.2000



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Water Availability Analysis

ROGUE R > PACIFIC OCEAN - AB RED ROCK CAN
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # [272 \(Map\)](#)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

[Download Data](#)

Water Availability

Select any Watershed for Details

Nesting Order	Watershed ID #	Stream Name	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	266	ROGUE R > PACIFIC OCEAN - AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	No	Yes	Yes
2	31531008	ROGUE R > PACIFIC OCEAN - AB SHASTA COSTA CR	No	No	No	No	Yes	No	No	No	No	No	No	No	Yes
3	31531001	ROGUE R > PACIFIC OCEAN - AB MEADOW CR	No	No	No	No	Yes	No	No	No	No	No	No	No	Yes
4	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	No	No	No	No	No	No	No	No	No	No	No	Yes
5	31530801	ROGUE R > PACIFIC OCEAN - AB APPLGATE R	No	No	No	No	No	No	No	No	No	No	No	No	Yes
6	268	ROGUE R > PACIFIC OCEAN - AB FALL CR	No	No	No	No	No	No	No	No	No	No	No	No	Yes
7	270	ROGUE R > PACIFIC OCEAN - AB CURRY G AT GAGE 14359000	No	No	No	No	No	No	No	No	No	No	No	No	Yes
8	31530708	ROGUE R > PACIFIC OCEAN - AB HOG CR	No	No	No	No	No	No	No	No	No	No	No	No	Yes
9	31530709	ROGUE R > PACIFIC OCEAN - AB ELK CR	No	No	No	No	No	No	No	No	No	No	No	No	Yes
10	272	ROGUE R > PACIFIC OCEAN - AB RED ROCK CAN	No	No	No	No	No	No	No	No	No	No	No	No	Yes

Limiting Watersheds

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Limiting Watershed ID #	Stream Name	Water Available?	Net Water Available
JAN	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	1,360.00
FEB	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	1,240.00
MAR	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	1,340.00
APR	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	-1,160.00
MAY	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	-40.90
JUN	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	-1,160.00
JUL	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	1,200.00
AUG	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	1,700.00
SEP	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	1,650.00
OCT	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	600.00
NOV	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	2,370.00
DEC	31531002	ROGUE R > PACIFIC OCEAN - AB GRAVE CR	No	1,430.00
ANN	272	ROGUE R > PACIFIC OCEAN - AB RED ROCK CAN	Yes	271,000.00

Detailed Reports for Watershed ID #266

ROGUE R > PACIFIC OCEAN - AT MOUTH
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # [266 \(Map\)](#)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	6,870.00	1,100.00	5,770.00	0.00	3,500.00	2,270.00
FEB	7,330.00	2,490.00	4,840.00	0.00	3,500.00	1,340.00
MAR	9,300.00	2,240.00	7,060.00	0.00	3,500.00	3,560.00
APR	7,670.00	1,520.00	6,150.00	0.00	3,500.00	2,650.00
MAY	6,060.00	443.00	5,620.00	0.00	3,000.00	2,620.00
JUN	4,430.00	509.00	3,920.00	0.00	2,700.00	1,220.00
JUL	2,080.00	570.00	1,510.00	0.00	2,000.00	(490.00)
AUG	1,600.00	507.00	1,093.00	0.00	2,400.00	(1,307.00)
SEP	1,580.00	410.00	1,170.00	0.00	2,400.00	(1,230.00)
OCT	1,920.00	260.00	1,660.00	0.00	1,600.00	60.00
NOV	2,740.00	306.00	2,434.00	0.00	3,500.00	(1,066.00)
DEC	5,750.00	572.00	5,178.00	0.00	3,500.00	1,678.00
ANN	5,730,000.00	653,000.00	5,077,000.00	0.00	2,120,000.00	2,957,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	759.00	0.09	323.00	3.69	0.02	8.15	3.30	0.02	1,100.00
FEB	7,360.00	0.10	393.00	3.69	0.03	8.16	3.30	0.03	2,490.00
MAR	1,800.00	0.12	427.00	3.69	0.03	8.16	3.30	0.03	2,240.00
APR	1,326.00	101.00	381.00	3.69	0.02	8.15	3.30	0.02	1,520.00
MAY	2.57	163.00	263.00	3.59	0.03	8.15	3.30	0.03	443.00
JUN	0.02	230.00	264.00	3.59	0.03	8.14	3.30	0.02	509.00
JUL	0.00	309.00	246.00	3.59	0.03	8.14	3.30	0.02	570.00
AUG	0.00	254.00	238.00	3.55	0.03	8.14	3.30	0.02	507.00
SEP	0.00	166.00	230.00	3.59	0.03	8.14	3.30	0.02	410.00
OCT	8.72	52.30	184.00	3.55	0.02	8.14	3.30	0.02	260.00
NOV	112.00	0.23	179.00	3.59	0.03	8.14	3.30	0.02	306.00
DEC	251.00	0.09	302.00	3.59	0.03	8.15	3.30	0.02	572.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF265A	CERTIFICATE	735.00	735.00	735.00	735.00	735.00	735.00	735.00	735.00	735.00	735.00	735.00	735.00
MF266A	CERTIFICATE	935.00	935.00	935.00	935.00	935.00	935.00	935.00	935.00	935.00	935.00	935.00	935.00
SY91503A	SWW	3,500.00	3,500.00	3,500.00	3,500.00	3,000.00	2,700.00	2,000.00	2,400.00	2,400.00	1,600.00	3,500.00	3,500.00
Maximum		3,500.00	3,500.00	3,500.00	3,500.00	3,000.00	2,700.00	2,000.00	2,400.00	2,400.00	1,600.00	3,500.00	3,500.00

Detailed Reports for Watershed ID #31531008

ROGUE R - PACIFIC OCEAN - AB SHASTA COSTA CR
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # 31531008 [\(Map\)](#)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	3,950.00	984.00	2,970.00	0.00	3,500.00	534.00
FEB	5,800.00	2,350.00	3,450.00	0.00	3,500.00	54.00
MAR	5,360.00	2,120.00	3,240.00	0.00	3,500.00	264.00
APR	4,630.00	1,500.00	3,130.00	0.00	3,500.00	365.00
MAY	3,980.00	420.00	3,560.00	0.00	3,000.00	560.00
JUN	2,350.00	480.00	1,870.00	0.00	2,700.00	830.00
JUL	1,500.00	537.00	963.00	0.00	2,000.00	1,040.00
AUG	1,280.00	478.00	802.00	0.00	2,400.00	1,600.00
SEP	1,250.00	458.00	792.00	0.00	2,400.00	1,610.00
OCT	1,420.00	264.00	1,156.00	0.00	1,600.00	444.00
NOV	1,770.00	259.00	1,510.00	0.00	3,500.00	1,990.00
DEC	3,290.00	459.00	2,830.00	0.00	3,500.00	669.00
ANN	3,270,000.00	616,000.00	2,660,000.00	0.00	2,120,000.00	825,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	661.00	0.08	311.00	2.79	0.01	6.15	2.96	0.02	984.00
FEB	1,960.00	0.09	281.00	2.79	0.01	5.15	2.96	0.02	2,350.00
MAR	1,700.00	0.11	415.00	2.79	0.01	6.15	2.96	0.03	2,120.00
APR	1,020.00	96.00	369.00	2.79	0.01	6.15	2.96	0.03	1,500.00
MAY	2.50	154.00	251.00	2.69	0.01	6.15	2.96	0.03	420.00
JUN	0.01	218.00	250.00	2.69	0.01	6.13	2.96	0.02	480.00
JUL	0.00	293.00	232.00	2.69	0.01	6.12	2.96	0.02	537.00
AUG	0.10	241.00	224.00	2.69	0.01	6.12	2.96	0.02	478.00
SEP	72.90	157.00	216.00	2.69	0.01	6.13	2.96	0.02	458.00
OCT	30.40	49.60	172.00	2.69	0.01	6.13	2.96	0.02	264.00
NOV	80.10	0.22	167.00	2.69	0.01	6.13	2.96	0.02	259.00
DEC	157.00	0.08	290.00	2.69	0.01	6.14	2.96	0.02	459.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
SY91503B	SWW	3,500.00	3,500.00	3,500.00	3,500.00	3,000.00	2,700.00	2,000.00	2,400.00	2,400.00	1,600.00	3,500.00	3,500.00
Maximum		3,500.00	3,500.00	3,500.00	3,500.00	3,000.00	2,700.00	2,000.00	2,400.00	2,400.00	1,600.00	3,500.00	3,500.00

Detailed Reports for Watershed ID #31531001

ROGUE R > PACIFIC OCEAN - AB MEADOW CR
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # 31531001 (Map)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	3,550.00	1,080.00	2,470.00	0.00	3,500.00	1,030.00
FEB	5,220.00	2,490.00	2,730.00	0.00	3,500.00	765.00
MAR	4,820.00	2,230.00	2,590.00	0.00	3,500.00	915.00
APR	4,180.00	1,500.00	2,680.00	0.00	3,500.00	817.00
MAY	3,630.00	422.00	3,210.00	0.00	3,000.00	208.00
JUN	2,160.00	483.00	1,680.00	0.00	2,700.00	1,020.00
JUL	1,400.00	541.00	859.00	0.00	2,000.00	1,140.00
AUG	1,220.00	481.00	739.00	0.00	2,400.00	1,660.00
SEP	1,190.00	388.00	802.00	0.00	2,400.00	1,600.00
OCT	1,320.00	244.00	1,080.00	0.00	1,600.00	524.00
NOV	1,560.00	289.00	1,270.00	0.00	3,500.00	2,230.00
DEC	2,800.00	553.00	2,350.00	0.00	3,500.00	1,150.00
ANN	2,950,000.00	639,000.00	2,310,000.00	0.00	2,120,000.00	534,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	752.00	0.08	311.00	3.20	0.01	6.84	3.02	0.02	1,080.00
FEB	2,090.00	0.09	381.00	3.20	0.01	6.84	3.02	0.03	2,490.00
MAR	1,810.00	0.09	415.00	3.20	0.01	6.84	3.02	0.03	2,230.00
APR	1,020.00	96.70	369.00	3.20	0.01	6.84	3.02	0.03	1,500.00
MAY	2.50	156.00	251.00	3.10	0.01	6.84	3.02	0.03	422.00
JUN	0.01	220.00	250.00	3.10	0.01	6.83	3.02	0.02	483.00
JUL	0.00	295.00	232.00	3.10	0.01	6.83	3.02	0.02	541.00
AUG	0.00	243.00	224.00	3.10	0.01	6.83	3.02	0.02	481.00
SEP	0.00	158.00	216.00	3.10	0.01	6.83	3.02	0.02	388.00
OCT	8.72	50.00	172.00	3.10	0.01	6.83	3.02	0.02	244.00
NOV	108.00	0.22	167.00	3.10	0.01	6.83	3.02	0.02	289.00
DEC	250.00	0.08	290.00	3.10	0.01	6.84	3.02	0.02	553.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
SY91503C	SWW	3,500.00	3,500.00	3,500.00	3,500.00	3,000.00	2,700.00	2,000.00	2,400.00	2,400.00	1,600.00	3,500.00	3,500.00
Maximum		3,500.00	3,500.00	3,500.00	3,500.00	3,000.00	2,700.00	2,000.00	2,400.00	2,400.00	1,600.00	3,500.00	3,500.00

Detailed Reports for Watershed ID #31531002

ROGUE R > PACIFIC OCEAN - AB GRAVE CR
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # 31531002 (Map)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	3 210 00	1 070 00	2 140 00	0 00	3 500 00	1 360 00
FEB	4 740 00	2 480 00	2 260 00	0 00	3 500 00	1 240 00
MAR	4 390 00	2 230 00	2 160 00	0 00	3 500 00	1 340 00
APR	3 830 00	1 490 00	2 340 00	0 00	3 500 00	1 160 00
MAY	3 370 00	411 00	2 960 00	0 00	3 000 00	40 90
JUN	2 010 00	467 00	1 540 00	0 00	2 700 00	1 160 00
JUL	1 320 00	519 00	801 00	0 00	2 000 00	-1 200 00
AUG	1 160 00	463 00	697 00	0 00	2 400 00	1 700 00
SEP	1 130 00	376 00	754 00	0 00	2 400 00	1 650 00
OCT	1 240 00	240 00	1 000 00	0 00	1 600 00	600 00
NOV	1 420 00	287 00	1 130 00	0 00	3 500 00	2 370 00
DEC	2 620 00	551 00	2 070 00	0 00	3 500 00	1 430 00
ANN	2 700 000 00	633 000 00	2 070 000 00	0 00	2 120 000 00	331 000 00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	750 00	0 08	311 00	2 95	0 01	6 56	3 01	0 02	1 070 00
FEB	2 090 00	0 09	281 00	2 95	0 01	6 56	3 01	0 03	2 460 00
MAR	1 810 00	0 09	415 00	2 95	0 01	6 56	3 01	0 03	2 230 00
APR	1 020 00	89 90	369 00	2 95	0 01	6 56	3 01	0 03	1 490 00
MAY	2 50	145 00	251 00	2 85	0 01	6 56	3 01	0 03	411 00
JUN	0 01	204 00	250 00	2 85	0 01	6 56	3 01	0 02	467 00
JUL	0 00	274 00	232 00	2 85	0 01	6 56	3 01	0 02	519 00
AUG	0 00	226 00	224 00	2 85	0 01	6 56	3 01	0 02	463 00
SEP	0 00	147 00	216 00	2 85	0 01	6 56	3 01	0 02	376 00
OCT	8 72	46 50	172 00	2 85	0 01	6 56	3 01	0 02	240 00
NOV	107 00	0 22	167 00	2 85	0 01	6 56	3 01	0 02	287 00
DEC	248 00	0 08	250 00	2 85	0 01	6 56	3 01	0 02	551 00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
SY91503D	SWW	3 500 00	3 500 00	3 500 00	3 500 00	3 000 00	2 700 00	2 000 00	2 400 00	2 400 00	1 600 00	3 500 00	3 500 00
Maximum		3 500 00	3 500 00	3 500 00	3 500 00	3 000 00	2 700 00	2 000 00	2 400 00	2 400 00	1 600 00	3 500 00	3 500 00

Detailed Reports for Watershed ID #31530801

ROGUE R > PACIFIC OCEAN - AB APPLGATE R
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # 31530801 (Map)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	2,590.00	1,090.00	1,500.00	0.00	0.00	1,500.00
FEB	3,220.00	2,010.00	1,210.00	0.00	0.00	1,210.00
MAR	3,220.00	1,780.00	1,440.00	0.00	0.00	1,440.00
APR	3,150.00	1,030.00	2,120.00	0.00	0.00	2,120.00
MAY	2,920.00	375.00	2,550.00	0.00	0.00	2,550.00
JUN	1,810.00	419.00	1,390.00	0.00	0.00	1,390.00
JUL	1,350.00	456.00	894.00	0.00	0.00	894.00
AUG	1,170.00	410.00	760.00	0.00	0.00	760.00
SEP	1,140.00	340.00	800.00	0.00	0.00	800.00
OCT	1,170.00	226.00	944.00	0.00	0.00	944.00
NOV	1,460.00	316.00	1,140.00	0.00	0.00	1,140.00
DEC	2,080.00	533.00	1,550.00	0.00	0.00	1,550.00
ANN	2,140,000.00	538,000.00	1,600,000.00	0.00	0.00	1,600,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	772.00	0.01	311.00	2.00	0.01	3.87	2.41	0.02	1,090.00
FEB	1,520.00	0.01	381.00	2.00	0.01	3.87	2.41	0.02	2,010.00
MAR	1,360.00	0.01	415.00	2.00	0.01	3.87	2.41	0.03	1,780.00
APR	586.00	70.50	369.00	2.00	0.01	3.87	2.41	0.03	2,120.00
MAY	1.81	113.00	251.00	1.90	0.01	3.87	2.41	0.03	375.00
JUN	0.00	160.00	250.00	1.90	0.01	3.87	2.41	0.02	419.00
JUL	0.00	215.00	232.00	1.90	0.01	3.87	2.41	0.02	456.00
AUG	0.00	177.00	240.00	1.90	0.01	3.87	2.41	0.02	410.00
SEP	0.00	115.00	216.00	1.90	0.01	3.87	2.41	0.02	340.00
OCT	8.72	36.30	172.00	1.90	0.01	3.87	2.41	0.02	226.00
NOV	140.00	0.01	167.00	1.90	0.01	3.87	2.41	0.02	316.00
DEC	235.00	0.01	290.00	1.90	0.01	3.87	2.41	0.02	533.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

No instream flow requirements were found for this watershed.

Detailed Reports for Watershed ID #268

ROGUE R - PACIFIC OCEAN - AB FALL CR
ROGUE BASIN
Water Availability as of 6/7/2019

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	2,540.00	1,080.00	1,460.00	0.00	1,200.00	261.00
FEB	3,150.00	1,990.00	1,160.00	0.00	1,200.00	44.50
MAR	3,160.00	1,770.00	1,390.00	0.00	1,200.00	191.00
APR	3,110.00	1,020.00	2,090.00	0.00	1,200.00	889.00
MAY	2,900.00	361.00	2,540.00	0.00	1,200.00	1,340.00
JUN	1,810.00	368.00	1,440.00	0.00	1,200.00	242.00
JUL	1,350.00	404.00	946.00	0.00	1,200.00	254.00
AUG	1,170.00	359.00	811.00	0.00	1,200.00	-389.00
SEP	1,130.00	290.00	840.00	0.00	1,200.00	360.00
OCT	1,170.00	213.00	957.00	0.00	1,200.00	243.00
NOV	1,460.00	306.00	1,150.00	0.00	1,200.00	45.70
DEC	2,050.00	522.00	1,530.00	0.00	1,200.00	328.00
ANN	2,110,000.00	519,000.00	1,590,000.00	0.00	869,000.00	753,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	771.00	0.01	300.00	1.64	0.01	3.80	2.21	0.02	1,080.00
FEB	1,620.00	0.01	370.00	1.64	0.01	3.80	2.21	0.03	1,990.00
MAR	1,360.00	0.01	404.00	1.64	0.01	3.80	2.21	0.03	1,770.00
APR	585.00	69.00	358.00	1.64	0.01	3.80	2.21	0.03	1,020.00
MAY	1.76	111.00	240.00	1.55	0.01	3.80	2.21	0.03	361.00
JUN	0.00	157.00	204.00	1.55	0.01	3.80	2.21	0.02	368.00
JUL	0.00	211.00	186.00	1.55	0.01	3.80	2.21	0.02	404.00
AUG	0.00	174.00	178.00	1.55	0.01	3.80	2.21	0.02	359.00
SEP	0.00	113.00	170.00	1.55	0.01	3.80	2.21	0.02	290.00
OCT	8.72	35.90	161.00	1.55	0.01	3.80	2.21	0.02	213.00
NOV	142.00	0.01	156.00	1.55	0.01	3.80	2.21	0.02	306.00
DEC	235.00	0.01	279.00	1.55	0.01	3.80	2.21	0.02	522.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF267A	CERTIFICATE	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
MF268A	CERTIFICATE	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00
Maximum		1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00

Detailed Reports for Watershed ID #270

ROGUE R > PACIFIC OCEAN - AB CURRY G AT GAGE 14359000
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # 270 [\(Map\)](#)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	2,180.00	1,130.00	1,050.00	0.00	1,200.00	149.00
FEB	2,710.00	2,050.00	664.00	0.00	1,200.00	536.00
MAR	2,750.00	1,820.00	932.00	0.00	1,200.00	268.00
APR	2,810.00	1,040.00	1,770.00	0.00	1,200.00	574.00
MAY	2,750.00	368.00	2,380.00	0.00	1,200.00	1,180.00
JUN	1,790.00	344.00	1,420.00	0.00	1,200.00	216.00
JUL	1,330.00	368.00	962.00	0.00	1,200.00	238.00
AUG	1,160.00	331.00	829.00	0.00	1,200.00	371.00
SEP	1,130.00	275.00	855.00	0.00	1,200.00	345.00
OCT	1,180.00	228.00	932.00	0.00	1,200.00	268.00
NOV	1,370.00	345.00	1,020.00	0.00	1,200.00	175.00
DEC	1,810.00	562.00	1,250.00	0.00	1,200.00	47.80
ANN	1,900,000.00	529,000.00	1,370,000.00	0.00	869,000.00	532,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	790.00	0.01	333.00	1.50	0.00	2.32	1.98	0.02	1,130.00
FEB	1,640.00	0.01	403.00	1.50	0.00	2.32	1.98	0.02	2,050.00
MAR	1,380.00	0.01	437.00	1.50	0.00	2.32	1.98	0.02	1,820.00
APR	585.00	54.40	391.00	1.50	0.00	2.32	1.98	0.02	1,040.00
MAY	1.72	87.50	273.00	1.41	0.00	2.32	1.98	0.02	368.00
JUN	0.00	124.00	215.00	1.41	0.00	2.32	1.98	0.02	344.00
JUL	0.00	166.00	197.00	1.41	0.00	2.32	1.98	0.02	368.00
AUG	0.00	137.00	189.00	1.41	0.00	2.32	1.98	0.02	331.00
SEP	0.00	89.00	181.00	1.41	0.00	2.32	1.98	0.02	275.00
OCT	0.30	28.00	194.00	1.41	0.00	2.32	1.98	0.02	228.00
NOV	150.00	0.01	189.00	1.41	0.00	2.32	1.98	0.02	345.00
DEC	745.00	0.01	312.00	1.41	0.00	2.32	1.98	0.02	562.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF269A	CERTIFICATE	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
MF270A	CERTIFICATE	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00
Maximum		1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00

Detailed Reports for Watershed ID #31530708

ROGUE R - PACIFIC OCEAN - AB HOG CR
ROGUE BASIN

Water Availability as of 6/7/2019

Watershed ID # 31530708 [\(Map\)](#)
Date 6/7/2019

Exceedance Level 80%
Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	1 860 00	913 00	947 00	0 00	0 00	947 00
FEB	2 260 00	1 790 00	466 00	0 00	0 00	466 00
MAR	2 300 00	1 600 00	704 00	0 00	0 00	704 00
APR	2 420 00	1 040 00	1 380 00	0 00	0 00	1 380 00
MAY	2 500 00	369 00	2 130 00	0 00	0 00	2 130 00
JUN	1 670 00	291 00	1 380 00	0 00	0 00	1 380 00
JUL	1 250 00	280 00	970 00	0 00	0 00	970 00
AUG	1 080 00	266 00	814 00	0 00	0 00	814 00
SEP	1 020 00	245 00	775 00	0 00	0 00	775 00
OCT	1 380 00	227 00	853 00	0 00	0 00	853 00
NOV	1 210 00	266 00	944 00	0 00	0 00	944 00
DEC	1 620 00	405 00	1 210 00	0 00	0 00	1 210 00
ANN	1 640 000 00	460 000 00	1 180 000 00	0 00	0 00	1 180 000 00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	512 00	73 00	326 00	0 43	0 00	1 69	0 54	0 00	913 00
FEB	1 320 00	71 20	396 00	0 43	0 00	1 69	0 54	0 00	1 790 00
MAR	1 100 00	64 90	430 00	0 43	0 00	1 69	0 54	0 00	1 600 00
APR	579 00	78 60	384 00	0 43	0 00	1 69	0 54	0 00	1 040 00
MAY	0 06	100 00	266 00	0 33	0 00	1 69	0 54	0 00	369 00
JUN	0 00	110 00	179 00	0 33	0 00	1 69	0 54	0 00	291 00
JUL	0 00	116 00	161 00	0 33	0 00	1 69	0 54	0 00	280 00
AUG	0 00	110 00	153 00	0 33	0 00	1 69	0 54	0 00	266 00
SEP	0 00	97 40	145 00	0 33	0 00	1 69	0 54	0 00	245 00
OCT	0 00	37 30	187 00	0 33	0 00	1 69	0 54	0 00	227 00
NOV	12 10	69 50	182 00	0 33	0 00	1 69	0 54	0 00	266 00
DEC	19 10	78 70	305 00	0 33	0 00	1 69	0 54	0 00	405 00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

No instream flow requirements were found for this watershed.

Detailed Reports for Watershed ID #31530709

ROGUE R > PACIFIC OCEAN - AB ELK CR
ROGUE BASIN

Water Availability as of 6/7/2019

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 5.0% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	1,550.00	816.00	734.00	0.00	0.00	734.00
FEB	1,890.00	1,700.00	192.00	0.00	0.00	192.00
MAR	1,980.00	1,510.00	472.00	0.00	0.00	472.00
APR	2,140.00	973.00	1,170.00	0.00	0.00	1,170.00
MAY	2,120.00	287.00	1,830.00	0.00	0.00	1,830.00
JUN	1,510.00	212.00	1,300.00	0.00	0.00	1,300.00
JUL	1,190.00	208.00	982.00	0.00	0.00	982.00
AUG	1,050.00	191.00	859.00	0.00	0.00	859.00
SEP	991.00	169.00	822.00	0.00	0.00	822.00
OCT	1,020.00	191.00	829.00	0.00	0.00	829.00
NOV	1,110.00	184.00	926.00	0.00	0.00	926.00
DEC	1,290.00	307.00	983.00	0.00	0.00	983.00
ANN	1,420,000.00	402,000.00	1,020,000.00	0.00	0.00	1,020,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	488.00	0.00	326.00	0.39	0.00	1.39	0.45	0.00	816.00
FEB	1,300.00	0.00	396.00	0.74	0.00	1.39	0.41	0.00	1,700.00
MAR	1,080.00	0.00	430.00	0.39	0.00	1.39	0.45	0.00	1,510.00
APR	579.00	8.48	384.00	0.36	0.00	1.39	0.41	0.00	973.00
MAY	0.01	19.50	266.00	0.29	0.00	1.39	0.45	0.00	287.00
JUN	0.00	31.40	179.00	0.29	0.00	1.39	0.45	0.00	212.00
JUL	0.00	45.00	161.00	0.29	0.00	1.39	0.45	0.00	208.00
AUG	0.00	36.40	153.00	0.29	0.00	1.38	0.45	0.00	191.00
SEP	0.00	22.60	145.00	0.29	0.00	1.38	0.45	0.00	169.00
OCT	0.00	1.97	187.00	0.29	0.00	1.38	0.45	0.00	191.00
NOV	0.08	0.00	182.00	0.29	0.00	1.38	0.45	0.00	184.00
DEC	0.13	0.00	305.00	0.76	0.00	1.09	0.41	0.00	307.00

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

No instream flow requirements were found for this watershed.

Detailed Reports for Watershed ID #272

ROGUE R - PACIFIC OCEAN - AS RED ROCK CAN
ROGUE BASIN

Water Availability as of 6/7/2019

Date 6/7/2019

Time 11:00 AM

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	1,310.00	1.76	1,310.00	0.00	835.00	473.00
FEB	1,540.00	1.78	1,540.00	0.00	835.00	703.00
MAR	1,620.00	1.77	1,620.00	0.00	835.00	783.00
APR	1,720.00	3.39	1,720.00	0.00	835.00	882.00
MAY	1,900.00	5.57	1,890.00	0.00	835.00	1,060.00
JUN	1,410.00	7.95	1,400.00	0.00	835.00	567.00
JUL	1,140.00	10.70	1,130.00	0.00	835.00	294.00
AUG	973.00	8.96	964.00	0.00	835.00	129.00
SEP	918.00	6.17	912.00	0.00	835.00	76.80
OCT	840.00	2.04	836.00	0.00	835.00	103.00
NOV	1,020.00	1.71	1,020.00	0.00	835.00	183.00
DEC	1,220.00	1.74	1,220.00	0.00	835.00	383.00
ANN	1,230,000.00	3,240.00	1,230,000.00	0.00	605,000.00	624,000.00

Detailed Report of Consumptive Uses and Storage

Consumptive Uses and Storages in Cubic Feet per Second

Month	Storage	Irrigation	Municipal	Industrial	Commercial	Domestic	Agricultural	Other	Total
JAN	0.11	0.00	0.00	0.29	0.00	1.01	0.34	0.00	1.76
FEB	0.13	0.00	0.00	0.29	0.00	1.01	0.34	0.00	1.78
MAR	0.13	0.00	0.00	0.29	0.00	1.01	0.34	0.00	1.77
APR	0.04	1.70	0.00	0.29	0.00	1.01	0.34	0.00	3.39
MAY	0.01	3.92	0.00	0.29	0.00	1.01	0.34	0.00	5.57
JUN	0.00	6.31	0.00	0.29	0.00	1.01	0.34	0.00	7.95
JUL	0.00	9.04	0.00	0.29	0.00	1.01	0.34	0.00	10.70
AUG	0.00	7.32	0.00	0.29	0.00	1.01	0.34	0.00	8.96
SEP	0.00	4.53	0.00	0.29	0.00	1.01	0.34	0.00	6.17
OCT	0.00	0.40	0.00	0.29	0.00	1.01	0.34	0.00	2.04
NOV	0.07	0.00	0.00	0.29	0.00	1.01	0.34	0.00	1.71
DEC	0.09	0.00	0.00	0.29	0.00	1.01	0.34	0.00	1.74

Detailed Report of Reservations for Storage and Consumptive Uses

Reserved Streamflow in Cubic Feet per Second

No reservations were found for this watershed.

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF271A	CERTIFICATE	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00
SY91502A	SWW	255.00	255.00	255.00	255.00	800.00	800.00	800.00	100.00	100.00	255.00	255.00	255.00
MF272A	CERTIFICATE	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00
Maximum		835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00	835.00



Oregon Water Resources Department
Surface Water Application

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Friday, March 15, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

E-2

Standard Application Completeness Checklist

Yes No

For use with Groundwater and Surface Water Applications Only

Minimum Requirements (OAR 690-310-0040) (ORS 537.400)

For use by WRD staff only

Application S88758 County Jackson Priority Date 3-14-19

Township 33S Range 2E Section 16

Amount 0.005 Use Domestic WM Dist. # 13

Applicant Name William H Hoag

Receipt No. 129333 Caseworker Assigned: Barbe Kim Lisa Scott

0.005 cfs

- Applicant/Organization Name and Mailing Address
- Signature of all applicants (include title or authority of representative if applicant is an organization or corporation). *Applicant's agent may NOT sign application.
- Property Ownership: Does the applicant own all the land for the proposed project? Y N

If No:

N/A

- The affected landowner's name(s) and mailing address(s) must be listed
- A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

- For a SW Application: Source of water must be indicated.
 - If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)
NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application, Exp. Secondary (E2)(ORS 537.147).
 - If for stored water not under contract, is the source authorized under a permit, certificate, or decree?
Permit or Certificate issued Y N Permit or Certificate # _____

For a GW Application: Well Development Tables completed and/or a well log report included (if existing)

Division 33, Public Interest Information (Sensitive, Threatened, Endangered, Fish Species)

- Proposed Water Use
 - Amount of water from each source in GPM, CFS, or AF 0.005
 - Period of use indicated
 - If for supplemental irrigation, primary acreage or underlying permit or certificate number listed (Primary and Supplemental Irrigation counts as 2 uses)

Water Management Section (Estimates if the water system has not been designed)

Resource Protection Section

Project schedule (If system is already completed, indicate "existing.")

MA

- Supplemental data sheets enclosed (if needed)
 - Form M (Municipal or Quasi-Municipal)
 - Spring Description Sheet (if source is a spring)
- A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*
- A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.
- The proposed source IS / IS NOT (circle one) restricted or withdrawn from further appropriation. *NOTE: If it is withdrawn under ORS 538, return application and fees.*
- The **map** must meet all the minimum requirements of OAR 690-310-0050.
 - Township, Range, Section
 - Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - Place of use, ¼-¼'s and tax lot clearly identified
 - Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - Location of *each* diversion point or well by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - Reference corner on map
 - North Directional Symbol
 - Number of acres per ¼ ¼ if for irrigation, nursery, or agriculture
- Fees: Print out from Fee Calculator**

Total Fees	\$ 1800
Fee Paid	\$ 1800
Amount Due	\$ _____

Reviewed by: Judy Ferrell
Mary Bjore

Date: 3/15/19
3-19-19

E-2

Standard Application Completeness Checklist

Yes No

For use with Groundwater and Surface Water Applications Only

Minimum Requirements (OAR 690-310-0040) (ORS 537.400)

For use by WRD staff only

Application 5-88758 County Jackson Priority Date 02/19/19

Township 33S Range 2E Section 916?

Amount 0,005 U: Domestic WM Dist. # 13

Applicant Name William H Hoag

Receipt No. 129166 Caseworker Assigned: Barbe Kim Lisa Scott

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Applicant/Organization Name and Mailing Address in Pencil?

Signature of all applicants (include title or authority of representative if applicant is an organization or corporation). *Applicant's agent may NOT sign application.

Property Ownership: Does the applicant own all the land for the proposed project? Y N

If No:

- The affected landowner's name(s) and mailing address(s) must be listed
- A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

TBO For a SW Application: Source of water must be indicated.

If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)

NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application, Exp. Secondary (E2)(ORS 537.147).

If for stored water not under contract, is the source authorized under a permit, certificate, or decree? Permit or Certificate issued Y N Permit or Certificate # _____

HA For a GW Application: Well Development Tables completed and/or a well log report included (if existing)

Division 33, Public Interest Information (Sensitive, Threatened, Endangered, Fish Species)

Proposed Water Use

- Amount of water from each source in 2.25 GPM, CFS, or AF
- Period of use indicated
- If for supplemental irrigation, primary acreage or underlying permit or certificate number listed (Primary and Supplemental Irrigation counts as 2 uses)

Water Management Section (Estimates if the water system has not been designed)

Resource Protection Section

Project schedule (If system is already completed, indicate "existing.")

- Supplemental data sheets enclosed (if needed)
 - Form M (Municipal or Quasi-Municipal)
 - Spring Description Sheet (if source is a spring)

A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*

A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.

The proposed source **IS / IS NOT** (circle one) restricted or withdrawn from further appropriation. *NOTE: If it is withdrawn under ORS 538, return application and fees.*

The **map** must meet all the minimum requirements of OAR 690-310-0050.

- Township, Range, Section
- Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
- Place of use, ¼-¼'s and tax lot clearly identified
- Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
- Location of *each* diversion point or well by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
- Reference corner on map
- North Directional Symbol
- Number of acres per ¼ ¼ if for irrigation, nursery, or agriculture

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Fees: Print out from Fee Calculator

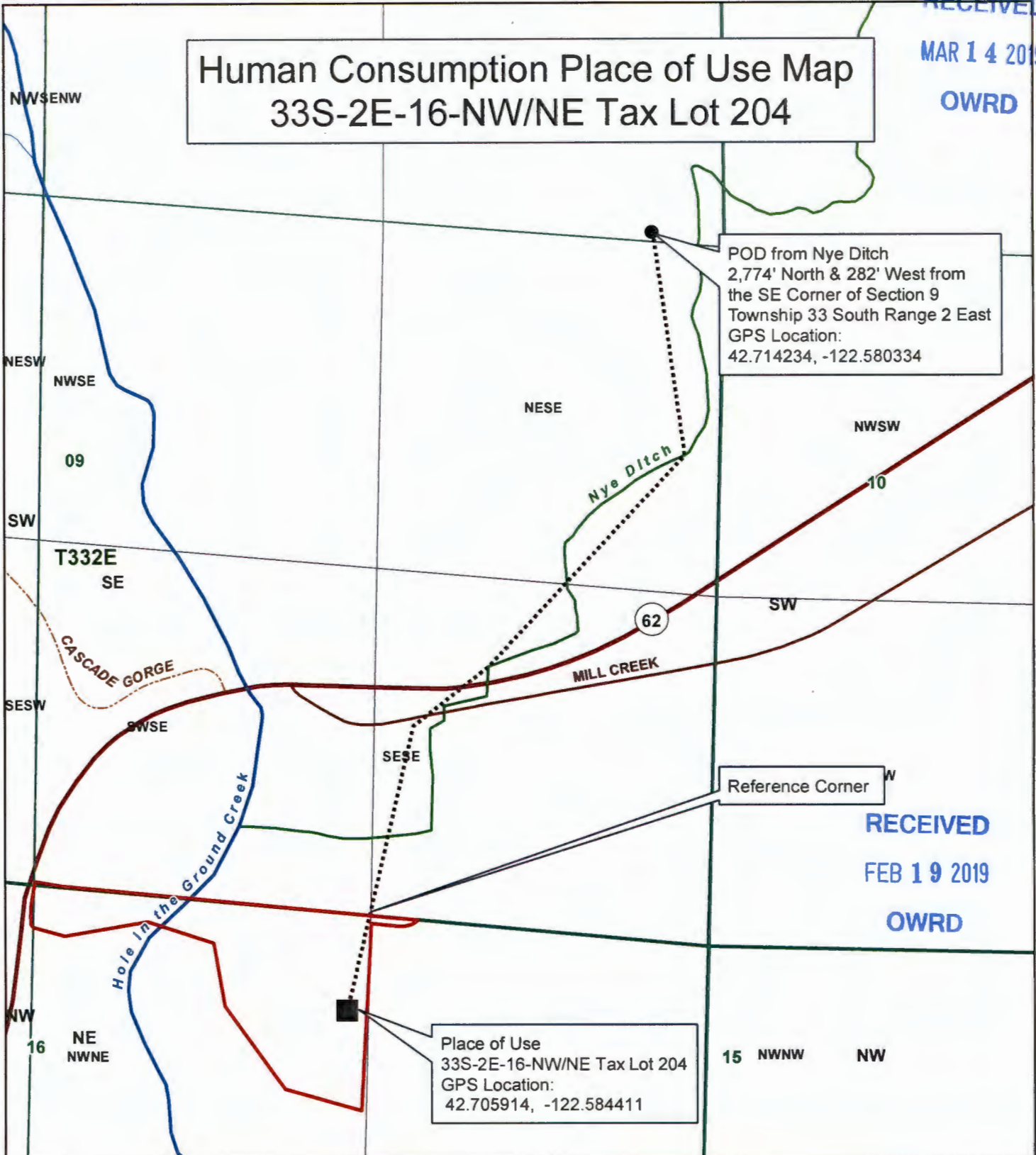
Total Fees	\$ 1800.00
Fee Paid	\$ 1800.00
Amount Due	\$ _____

Reviewed by: Judy

Date: 02/19/19

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 MAR 14 2019
 OWRD

Human Consumption Place of Use Map
 33S-2E-16-NW/NE Tax Lot 204

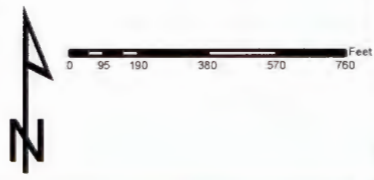


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Legend

- TL 204
- Quarter Sections
- Home Site
- Quarter Quarter Sections
- Townships
- POD from Nye Ditch
- Sections
- 6" PVC Transport Pipe

1 inch = 500 feet



JACKSON COUNTY
WATERMASTER
 Staff

This map is based on a digital database compiled by Jackson County from a variety of sources. Jackson County cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

Date: 6/12/2019, 33-2E-16-NE-NE TL 204 Bill Hoag mxd hayness

5-88758



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

Water Right Application Initial Review

June 21, 2019

WILLIAM H. HOAG
2750 MILL CREEK DR
PROSPECT OR 97536

Reference: Application S-88758

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 diversion of 0.005 cubic foot per second (CFS) of water from Rogue River, tributary to Pacific Ocean, for year-round domestic use for one household.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Domestic use is an allowable use under the Rogue Basin Program (690-515-0000(1)(a)(E)).
4. An assessment of water availability at 80% 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 and can be viewed on the Department's website. This review is done consistent with OAR 690-410-0070(2)(a). The assessment established surface **water is not available at any time of the year**. Oregon Revised Statute (ORS) 537.153(3)(b); OAR 690-310-0080(1)(b)
5. Surface water is not available in the amount requested during the entire period requested. However, by providing additional information you may request a limited permit for human consumption use (indoor use only: cooking, drinking, and sanitation), limited to 500 gallons per day. Please refer to the **Additional Information Opportunity** section below for details.
6. The proposed use is located above the Rogue 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.

Summary

The diversion of 0.005 CFS of water from Rogue River, tributary to Pacific Ocean, for year-round domestic use for one household is not allowable.

Not all determinations herein are favorable and it appears unlikely that you will be issued a permit for domestic use. However, by providing additional information you may request a limited permit for human consumption use (indoor use only: cooking, drinking, sanitation) at 0.005 CFS, further limited to 500 gallons per day.

Public interest issues and/or public comments will be addressed as the Department prepares a Proposed Final Order. If significant public interest issues are identified, they could have an impact on the eventual outcome of the application.

The Department has rules (OAR 690-033) that establish additional procedures and standards to aid the Department in determining whether a proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened, or endangered fish species. This Initial Review does not address the potential impact that your proposed use may have on these species.

Your application will undergo additional review from numerous federal, state, local, and tribal governmental entities. This review may cause your application to be limited, conditioned, or denied. Depending on the proposed use, you may be able to mitigate for potential impacts identified in the review.

Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water within the impacted reach through purchasing or transferring another water right. Following the Initial Review, you will be notified if mitigation is required. If you choose to pursue mitigation, you will likely need to place your application on administrative hold in order to explore options.

Additional Information Opportunity

Due to requirements for existing water rights and/or minimum flows in a scenic waterway, water is not available in sufficient quantities to support the proposed use. However, human consumption of water (indoor use only: cooking, drinking and sanitation) from the proposed source may be considered a high public interest use if there is no reasonable alternative. If you can provide evidence that this is the case, we will work with the Oregon Department of Fish and Wildlife to attempt to determine conditions which will protect instream values during the months when instream flow requirements are not met. These conditions may include mitigation measures to offset the impact of the requested use.

Please complete and return the attached "Application Supplement for Human Consumption & Livestock Uses" form. **Please submit the information no later than July 25, 2019.** If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above or a request for an administrative hold by **July 25, 2019**, the Department will likely proceed with a Proposed Final Order recommending denial 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 **July 5, 2019**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If a permit is issued it will likely include the following conditions:

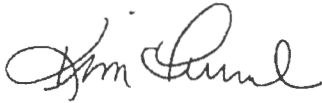
1. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. A permit is subject to cancellation proceedings if the begin construction deadline is missed.
2. **Water Use Measurement, Recording, and Reporting Condition:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter 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 permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

If you have any questions:

Feel free to contact me at Kim.R.French@oregon.gov or 503-986-0816 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 503-986-0900. When corresponding by mail, please use this address: Kim

French, 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 read "Kim French". The signature is fluid and cursive, with the first name "Kim" and last name "French" clearly distinguishable.

Kim French
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description and Stop Processing Request Form
S-88758
WAB: 15-272

APPLICATION FACT SHEET

Application File Number: S-88758

Applicant: WILLIAM H. HOAG

County: JACKSON

Watermaster: SHAVON HAYNES, 13, SWR

Priority Date: MARCH 14, 2019

Source: ROGUE RIVER, TRIBUTARY TO PACIFIC OCEAN

Purpose or Use: DOMESTIC USE FOR ONE HOUSEHOLD

Rate: 0.005 CUBIC FOOT PER SECOND

Basin Name & Number: ROGUE, # 15

WAB: ROGUE R > PACIFIC OCEAN - AB RED ROCK CAN

Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
33 S	2 E	WM	9	SE NE	2774 FEET NORTH AND 282 FEET WEST FROM SE CORNER, SECTION 9

Place of Use:

Twp	Rng	Mer	Sec	Q-Q
33 S	2 E	WM	16	NW NE

PUBLIC NOTICE DATE: June 25, 2019

14 DAY STOP PROCESSING DEADLINE DATE: July 5, 2019

30 DAY COMMENT DEADLINE DATE: July 25, 2019

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 **S-88758**.
- 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 processing fee) be returned.
- This notice must be received at Water Resources Department by:

July 5, 2019

- Return the notice to:

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



Oregon Water Resources Department

Application Supplement for Human Consumption & Livestock Uses

For water use permit applications within or above scenic waterways, or from streams for which water is not available due to required instream flows, the Department may issue limited permits for human consumption and livestock uses. Human consumption use is limited to 500 gallons per day for indoor use only for drinking, cooking, and sanitation, and does not include other uses such as lawn or garden watering or other related water uses.

In order to issue a permit to you for human consumption or livestock use, the Department must find that you cannot reasonably obtain water from any other source. For human consumption, an additional finding must be made that denial of the water right would result in loss of reasonable expectations for use of your property. For livestock use, additional findings must be made that issuance of a permit is necessary to prevent the livestock from watering in or along the stream bed and that you have excluded livestock from the stream and the adjacent riparian zone.

Please answer the following questions, and sign and return this form to Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266.

1. Can you reasonably obtain water from any other source? YES NO

If not, please describe why each of the following options are not reasonable:

- a. Groundwater, such as a well on yours or a neighbor's property. (If expense is the reason groundwater is not reasonable, please provide two estimates of the cost.)

- b. Securing stored water from upstream reservoirs.

- c. Trucking water. (If expense is the reason this option is not reasonable, please provide a copy of an estimate of the cost of trucking water.)

- d. Community or municipal water suppliers.

- e. Tying in to a neighboring property's spring.

- g. Transferring existing water rights to your proposed use(s).

Please identify any other alternate water sources you have considered, and why they are not feasible:

2. If you are seeking a permit for **human consumption use**, would denial of your application result in loss of reasonable expectations for use of your property?
 YES NO NOT APPLICABLE

If so, please describe how:

3. If you are seeking a permit for **livestock use**, is the proposed use necessary to prevent the livestock from watering in or along the stream bed?
 YES NO NOT APPLICABLE

4. If you are seeking a permit for **livestock use**, have you excluded livestock from the stream and the adjacent riparian zone?
 YES NO NOT APPLICABLE

Applicant Signature: _____

Date: _____

Mailing List for IR Copies

Application S-88758

IR Date: June 21, 2019

Original and map mailed to applicant:

WILLIAM H. HOAG
2750 MILL CREEK DR
PROSPECT OR 97536

Sent via auto email:

1. WRD – Watermaster Shavon Haynes # 13
2. ODFW
3. DEQ

Copies sent to:

4. WRD - File S-88758
5. WRD – SW Section
6. WRD - Jake Johnstone SWR

Application Specialist: Kim French

<p>Copies Mailed</p> <p>By: <u>TM</u> (SUPPORT STAFF)</p> <p>On: <u>6/21/2019</u> (DATE)</p>
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Division 33 Agency Review's Synthesis Form

Application #	S-88758
Applicant	Hoag
Amount of water sought	0.005 cfs for Human consumption one household
Application Specialist	Kim French
Division 33 Geographic Code	333 Statewide
Listed Threatened or Endangered Fish Species	Coho Salmon
ODFW Listed Sensitive Fish Species	Pacific Lamprey, Summer Steelhead, Chinook Salmon

Division 33 Review Findings:

ODFW	ODEQ
<p>The proposed use will occur in an area that may affect the essential habitat of a federally listed threatened (T) fish species and three ODFW listed sensitive (S) fish species at all life stages. ODFW determined, the proposed use will impair the identified biologically necessary flows for ST fish wholly or partially during the period of impact. However, the effect to ST fish habitat from the proposed use are expected to be inconsequential and with the exception of screening the diversion, no other mitigation or conditions are needed.</p>	<p>ODEQ found that the proposed will not result in water quality impacts that will cause either "loss" or "net loss" of essential habitat of federally listed threatened or ODFW listed sensitive fish species.</p>

ODFW Recommended Permit Conditions

Screen - The permittee shall install, maintain, and operate fish screening consistent with current Oregon Department of Fish & Wildlife (ODFW) standards or submit documentation that ODFW has determined fish screening is not necessary or is exempted. Fish screening is to prevent fish from entering the proposed diversion. The required screen is to be in place, functional, and approved in writing by ODFW prior to diversion of water. The water user shall operate and maintain the fish screen consistent with ODFW's operation and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly. The permittee is hereby directed to schedule a consultation with an ODFW Fish Screening Coordinator.

Recommended Pre-PFO Actions

ODEQ

I would like to request OWRD determine if human consumption and livestock uses authorized under ORS 390.835 is in excess of a combined cumulative total of one percent of the average daily flow or one cubic foot per second, whichever is less. If so, OWRD should not allow any further allocations from this waterway, unless actions are taken to meet ORS 390.835(8).

Applicant should develop a voluntary water conservation plan and provide the plan to OWRD within 60 days of the Final Order.

Riparian – If the riparian area is disturbed in the process of developing, modifying or repairing a point of diversion under this permit, the permittee shall be responsible for restoration or enhancement of such riparian area in accordance with the Oregon Department of Fish and Wildlife’s Fish and Wildlife Mitigation Policy OAR 635-415. Prior to development, modification or repairs at the point of diversion, the permittee shall submit, to the Oregon Water Resources Department, either a Riparian Mitigation Plan approved in writing by the Oregon Department of Fish and Wildlife (ODFW) or a written declaration from ODFW that a riparian plan is unnecessary. The permittee shall maintain the riparian area for the life of the permit and subsequent certificate per the approved Riparian Mitigation Plan. The permittee is hereby directed to contact the local ODFW Fish Biologist prior to diverting water.

ODEQ Recommended Permit Conditions

Limit Rate – Water withdrawal shall be limited to 500 gallons per day.

Restrictor – The permittee shall install a flow control valve on the diversion system to limit use the permitted rate. The valve shall be in place, functional, and verified by the Certified Water Rights Examiner prior to certificate issuance. The valve or suitable replacement shall remain operational for the life of the water right.

Water Quality – All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source water or downstream waters decrease to the point that those water no longer meet existing state or federal water quality standards.

Additional ODEQ Reviewer comments and reasoning to substantiate permit conditions.

Since ORS 390.835 allows a specific volumetric rate of water withdrawal from this waterbody, no mitigation for individual domestic users is being sought currently to meet water quality standards. However, households should be encouraged to implement voluntary water conservation measures to the maximum extent practicable during the months of July, August, September, and October. The applicant should develop a voluntary water conservation plan and provide it to OWRD within 60 days of the Final Order issuance.



Oregon DEQ Division 33 Review Summary Sheet

Application Information

Applicant Name:	William Hoag	Application Number:	S 88758
Basin & Sub-basin:	Upper Rogue	Requested Water Amount:	0.005 CFS
Nearest Surface Water:	Rogue River	Nearest Receiving Waterbody:	Rogue River
Proposed Use:	Domestic for one household	Requested Period of Use:	Year-round

Division 33 Geographic Area

<input type="checkbox"/> Lower Columbia <input type="checkbox"/> Upper Columbia <input checked="" type="checkbox"/> Statewide	
<p>Upper and Lower Columbia Basins only: Based upon the review completed below, does the proposed use comply with existing state and federal water quality standards or may conditions be applied to bring the use into compliance?</p>	<input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Insufficient data
<p>Statewide: Will the proposed use result in water quality impacts that will cause either "loss" or "net loss" of essential habitat of sensitive threatened or endangered (ST&E) fish species? (Note: the presence of ST&E fish species is determined by Oregon Department of Fish and Wildlife.)</p>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Insufficient data

Recommended Pre-Proposed Final Order Actions

<p>1. I would like to request OWRD determine if human consumption and livestock uses authorized under ORS 390.835 is in excess of a combined cumulative total of one percent of the average daily flow or one cubic foot per second, whichever is less. If so, OWRD should now allow any further allocations from this waterway, unless actions are taken to meet ORS 390.835(8).</p>
<p>2. Applicant should develop a voluntary water conservation plan and provide the plan to OWRD within 60 days of Final Order. (See additional comment section below)</p>
<p>3. Riparian: If the riparian area is disturbed in the process of developing, modifying or repairing a point of diversion under this water use permit, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with the Oregon Department of Fish and Wildlife's Habitat Mitigation Policy described in Oregon Administrative Rule OAR Chapter 635-415. Prior to development, modification or repairs at the point of diversion, the permittee shall submit, to the Oregon Water Resources Department, either a Riparian Mitigation Plan approved in writing by Oregon Department of Fish and Wildlife (ODFW) or a written declaration from ODFW that riparian mitigation is not necessary. The permittee shall maintain the riparian area for the life of the permit and subsequent certificate per the approved Riparian Mitigation Plan. The permittee is hereby directed to contact the local Oregon Department of Fish and Wildlife Fish Biologist prior to development of the point of diversion.</p>
<p>Mitigation Obligation <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>
<p>Prior to issuance of a Proposed Final Order, the applicant shall submit a mitigation proposal that is of no less volume and rate than the permitted use. The proposal shall include water that is sourced upstream of the point of diversion or appropriation, or the uppermost point on the stream at which the potential for surface water interference occurs. If a surface water right is used for mitigation, it shall be instream for the <u>[month – month]</u> time period and of similar water quality. The applicant should contact their OWRD caseworker to discuss flow mitigation options.</p>

Recommended Permit Conditions

1. Limit Rate: Water withdrawal shall be limited to <i>500 gallons per day</i> .	
2. Flow Restrictor: The permittee shall install a flow control valve on the diversion system to limit use to the permitted rate. The valve shall be in place, functional, and verified by the Certified Water Rights Examiner before a certificate is issued. The valve or a suitable replacement shall remain in place for the life of the water right.	
3. Water Quality: All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards	
4.	
Additional Reviewer comments <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
[Use this space to describe any of the following: reasoning to substantiate permit conditions; examples of additional information that may allow or disallow the use; and why any variations to the standard Division 33 review process were necessary. Designate conditions related to Division 310 with an asterisk.]	
Because ORS 390.835 allows a specific volumetric rate of water withdrawal from this waterbody, no mitigation for individual domestic users is being sought at this time to meet water quality standards. However, households should be encouraged to implement voluntary water conservation measures to the maximum extent practicable during the months of July, August, September and October. Applicant should develop a voluntary water conservation plan and provide to OWRD within 60 days of Final Order.	
Interagency consultation: [Describe any substantial interagency consultation. Who was contacted and what was discussed?]	
DEQ review prepared by:	Heather Tugaw
Date complete:	4/3/2020

ODA Review Request

ODA review requested:	<input type="checkbox"/> No <input type="checkbox"/> Yes	Date review sent to ODA:
ODA reviewer:		ODA review date:
ODA comments	<input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Yes	
[ODA: enter the results of your review here. Designate conditions related to Division 310 with an asterisk.]		

Antidegradation Policy:

The purpose of DEQ's Antidegradation Policy (OAR 340-041-0004(1)) is to guide decisions that affect water quality to prevent unnecessary further degradation from new or increased point and nonpoint sources of pollution, and to protect, maintain, and enhance existing surface water quality to ensure the full protection of all existing beneficial uses. Oregon's Antidegradation Policy allows exemptions and conditions for new or increased water use.

1. Temporary Use or Net Benefit

Does the applicant propose a temporary use in response to an emergency, a restoration activity that the DEQ has determined provides a net ecological benefit, or a temporary (lasting less than six months) use to protect human health and welfare, for which the applicant has demonstrated that they will minimize adverse effects to threatened and endangered species? No Yes

If yes, recommend approval of the application and identify conditions necessary to protect water quality for the habitat of ST&E fish species. You may skip to Question 7.

2. Outstanding Resource Water

Does the applicant propose withdrawing directly from an **Outstanding Resource Water** with critical habitat for ST&E fish species? No Yes

If yes, then prior to permit issuance, the applicant must provide suitable flow mitigation. You may skip to question 7.

3. Water Quality Limited

Is this source **Water Quality Limited** or a tributary to a water quality limited water body? Note: limit downstream review to 6th field HUC for parameters that diminished flow can affect (temperature, dissolved oxygen, pH, etc.). No Yes

Integrated Report 303(d) List Summary Table

Water Body (Stream/Lake)	River Miles	Parameter	Season	Criteria	Beneficial Uses	Status
Rogue River	132.2 to 156.8	pH	Summer	pH 6.5 to 8.5	Water contact recreation; Resident fish and aquatic life; Salmonid fish spawning; Salmonid fish rearing; Anadromous fish passage	Cat 5: Water quality limited, 303(d) list, TMDL needed
Rogue River/Lost Creek Lake	156.8 to 167	Aquatic Weeds Or Algae	Undefined	The development of fungi or other growths having a deleterious effect on stream bottoms, fish or other aquatic life, or which are injurious to health, recreation or industry may not be allowed.	Aesthetics; Water supply; Water contact recreation; Fishing; Livestock watering; Drinking water	Cat 5: Water quality limited, 303(d) list, TMDL needed
Rogue River	0 to 216.8	Mercury	Year Round	Table 40 Human Health Criteria for Toxic Pollutants	Human health	Cat 5: Water quality limited, 303(d) list, TMDL needed

Analysis: [If the answer to question 3 is yes, then describe how the use does or does not comply with existing state and federal water quality standards, and how the use may affect ST&E fish species habitat.]

pH is a measure of how acidic or basic (alkaline) the water is. Water with a pH greater than 7 is alkaline, water with a pH of less than 7 is acidic. Every species of fish has adapted to a specific range of pH. Fish exposed to changes in pH outside their normal range can be stressed or even die. Stress leaves fish vulnerable to disease, degrading their health. Additionally, alkaline conditions can transform nitrogen in the water column into a more toxic form of ammonia that can poison fish. Withdrawals from the stream will reduce the stream's heat capacity and cause greater fluctuation in daytime and nighttime stream temperatures. When nutrients and sunlight are sufficiently present, higher stream temperatures lead to more algal growth. During the day, algae absorb carbon dioxide from the water for cell growth, raising pH. At night, photosynthesis stops and algae continue to respire, releasing carbon dioxide and lowering pH. This cycle creates diel fluctuations in pH. Additional withdrawals from a stream that is already impaired for pH will lead to larger diel fluctuations in pH. Fish and aquatic insects are sensitive to imbalances in pH. Low pH levels (below 5) may lead to death and high pH levels (9-14) can harm fish by denaturing cellular membranes. These pH imbalances result in the diminution of the habitat of sensitive, threatened, or endangered fish species.

Recommended Conditions: [Consider if water quality can be protected by limiting the rate and quantity of water used, period of use, or by including other permit conditions.]

Conservation, limit rate, water quality

4. Total Maximum Daily Load Summary

Are there TMDLs established for parameters identified as being affected by flow modification? No Yes

Analysis: [List TMDL, identify the load allocation, and if flow modification is a contributing factor. Describe how the use does or does not comply with existing state and federal water quality standards and how the use may affect ST&E fish species habitat.]

Rogue River Basin TMDL, 2008. Temperature TMDL includes all perennial and intermittent streams within the Rogue Basin that are not already addressed by an existing TMDL.

Pollutants: Human caused temperature increases from (1) warm water discharge to surface waters (2) increased solar radiation loading, and (3) flow modification that affects natural thermal regimes.

From: Rogue River Basin TMDL, Chapter 2: Temperature. Section 2.3.4, Nonpoint Sources, Category 4: Hydromodification: Water Rights (pg. 2-27).

The influence of river flow is generally inversely related to the daily maximum stream temperature with higher flows moderating the diel swing of temperatures holding everything else unchanged. Diversion of water from the Rogue River and tributaries was generally shown via water quality modeling to decrease the ability of stream to assimilate heat load and result in warmer stream temperatures (Table 2.11 and Figure 2.17 and Appendices A and B for more detail).

This use is located above Lost Creek Lake and will not have a significant impact on the Rogue River downstream of the dam during the critical period. According to OWRD water availability analysis at 50% exceedance, Rogue River at this WAB has sufficient instream flows throughout the year.

Recommended Conditions: [Consider if water quality can be protected by limiting the rate and quantity of water used, period of use, or by including other permit conditions.]

Conservation, limit rate

5. Cumulative Withdrawals Effects

Is it likely that the proposed activity, together with existing withdrawals in the OWRD's Water Availability Basin (WAB), will lower water quality and impair aquatic life? No Yes

Water Availability Summary Table

Percent of natural flow = (consumptive use/natural stream flow)*100. See Appendix for detailed instructions.

[Water Availability Basin]: Rogue R > Pacific Ocean – AB Red Rock Can

Watershed ID	Exceedance Level	Month	Natural Stream Flow	Consumptive Use	Expected Stream Flow	Reserved Stream Flows	Instream Requirement	Net Water Available	Percent of Flow
272	50	JAN	1800	1.76	1800	0	835	963	0%
272	50	FEB	2020	1.78	2020	0	835	1180	0%
272	50	MAR	2050	1.77	2050	0	835	1210	0%
272	50	APR	2350	3.39	2350	0	835	1510	0%
272	50	MAY	2590	5.57	2580	0	835	1750	0%
272	50	JUN	2020	7.96	2010	0	835	1180	0%
272	50	JUL	1330	10.7	1320	0	835	484	1%
272	50	AUG	1120	8.96	1110	0	835	276	1%
272	50	SEP	1060	6.17	1050	0	835	219	1%
272	50	OCT	1100	2.04	1100	0	835	263	0%
272	50	NOV	1340	1.71	1340	0	835	503	0%
272	50	DEC	1650	1.74	1650	0	835	813	0%
272	50	ANN	1230000	3240	1230000	0	605000	624000	0%

Monthly flow in Cubic Feet per Second (CFS). Annual flow in Acre Feet (AF). Highlight months that exceed 20% of percent of flow.

6. Flow Modification Compliance with State and Federal Water Quality Standards

Based on responses to questions 3, 4, and 5, is the use in compliance with state and federal water quality standards or can compliance with state and federal water quality standards be assured, and ST&E habitat loss prevented by limiting the amount diverted, period of use, or by imposing permit condition(s)?

No Yes

- If yes:

Recommended Conditions: [If water quality can be protected by modifying or limiting the amount diverted, period of use, or other permit conditions, then select appropriate condition from the conditions list.]

Conservation and limit rate

- If no, can flow mitigation ensure compliance with state and federal water quality standards and prevent loss of ST&E habitat? No Yes

7. Compliance with other State and Federal Water Quality Standards

ORS 468B.025 prohibits pollution of waters of the state. Are there additional water quality impairments that would result from this proposed used by degrading surface water or groundwater quality?

No Yes

If water quality can be protected by applying permit conditions, then select all appropriate conditions from the standardized menu of conditions.

Recommended conditions: [List conditions]
Water quality

PRE-PROPOSED FINAL ORDER ACTIONS

DEQ requests that the applicant provide suitable replacement water as mitigation for anticipated impacts to water quality and more specifically the habitat of sensitive, threatened, and endangered fish species. Additional mitigation may be required from other Interagency Review Team members (for example: OWRD may require mitigation for periods when water is not available). Surface water flow mitigation is unlikely to provide the same benefit that groundwater can provide to gaining stream reaches. However, if groundwater mitigation is unavailable within the same aquifer, surface water mitigation may provide suitable mitigation.

Flow Mitigation Obligation:

Prior to issuance of a Proposed Final Order, the applicant shall submit a mitigation proposal that is of no less volume and rate than the permitted use. The proposal shall include water that is sourced upstream of the point of diversion or appropriation, or the uppermost point on the stream at which the potential for surface water interference occurs. If a surface water right is used for mitigation, it shall be instream for the *month - month time period* and of similar water quality. The applicant should contact their OWRD caseworker to discuss flow mitigation options.

Riparian: If the riparian area is disturbed in the process of developing, modifying or repairing a point of diversion under this water use permit, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with the Oregon Department of Fish and Wildlife's Habitat Mitigation Policy described in Oregon Administrative Rule OAR Chapter 635-415. Prior to development, modification or repairs at the point of diversion, the permittee shall submit, to the Oregon Water Resources Department, either a Riparian Mitigation Plan approved in writing by Oregon Department of Fish and Wildlife (ODFW) or a written declaration from ODFW that riparian mitigation is not necessary. The permittee shall maintain the riparian area for the life of the permit and subsequent certificate per the approved Riparian Mitigation Plan. The permittee is hereby directed to contact the local Oregon Department of Fish and Wildlife Fish Biologist prior to development of the point of diversion.

Water Storage Construction: The applicant shall locate the reservoir outside of the stream's natural channel. *identify waterbody and set back to prevent stream capture and justification for distance selected.*

(Note to reviewer: The 1200C permit requires a 50-foot setback, which is cited from the National General Construction Permit OAR-660-023-0090(5). Requiring the storage reservoir to be outside of the mapped 100 year floodway may also be a protective buffer.)

STANDARIZED MENU OF CONDITIONS

Water Quality: All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.

Agricultural Water Quality Management Area Rules: The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

Flow Restrictor: The permittee shall install a flow control valve on the diversion system to limit use to the permitted rate. The valve shall be in place, functional, and verified by the Certified Water Rights Examiner before a certificate is issued. The valve or a suitable replacement shall remain in place for the life of the water right.

Limit Rate: Water withdrawal shall be limited to *Enter CFS or AF for the defined period, or a month by month rate or volume.*

Limit Period of Use: Water use shall be limited to the period: *start date through end date.*
(Note to reviewer: Do not split the irrigation season. Require mitigation if water is not available during the requested time period.)

Limit Diversion: The permittee shall not divert water under this water use permit unless streamflow in the *waterbody name* is at or above *CFS* cubic foot per second, as determined at **Gaging Station ID**

Off-Channel Stored Water Releases: The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

On-Channel Reservoir: The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.

Restrict Reservoir Release: To prevent pollution downstream, the permittee shall not release water from the reservoir when the flow at Gaging Station ID *(gage name)* is below the Mean Daily Discharge of *CFS* (discharge which was equaled or exceeded for 90% percent of the time) except when the release is directed by the State Engineer to prevent dam failure.

Live Flow: Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.

Lining: The permittee shall line the reservoir with *include material or allowable infiltration rate* to minimize seepage and protect groundwater quality per Oregon Administrative Rule 340-040. The liner is to be in place, inspected, and approved by the Certified Water Rights examiner prior to storage of water.* If the liner fails, the water user shall replace it within one calendar year.

Site-Specific Condition: The permittee shall

* OAR 690-410-0010(2)(a), OAR 690-310-0120, OAR 690-310-0140

Appendix: General Overview, Instructions for Water Availability Analysis, and Process Flow Chart

General Overview

The purpose of OAR Chapter 690, Division 33 is to aid the Oregon Water Resources Department (OWRD) in determining whether a proposed use will impair or be detrimental to the public interest with regard to listed sensitive, threatened, or endangered (ST&E) fish species. Oregon's stream temperature, dissolved oxygen (DO), pH and several other water quality standards are based on the life cycle needs of salmonids and other resident fish and aquatic life. Exceeding the standards can disrupt the life cycle of a ST&E fish species and may cause death. In addition, OWRD must consider water quality impacts as part of a public interest review, OAR 690-310-0120. Water quality impacts and conditions unrelated to ST&E species should be noted as "Division 310" in the recommendations to OWRD. The DEQ's Water Right Application Review Procedures document contains a full description of the review process.

The two main categories of Division 33 reviews are based on the geographic distribution of ST&E fish species:

- **For Proposed Uses in the Columbia River Basin**, reviews must determine whether a proposed use complies with existing state and federal water quality standards. Upper Columbia applications specifically require applicants to provide evidence that the proposed use complies with existing state and federal water quality standards. Geographic scope: Columbia River Basin (includes all waters that ultimately drain into the Columbia River).
- **For Proposed Uses Statewide**, review is conducted under the "Statewide review" procedure. Statewide reviews must determine whether a proposed use may affect ST&E fish species habitat. The statewide review procedure is intended to identify permit conditions that can prevent the "loss" or "net loss" of essential habitat of ST&E fish species. When permit conditions cannot be identified that meet this standard, then the DEQ recommends denial of the permit. Geographic scope: all areas outside the Columbia River Basin where OWRD determines ST&E fish species are present.

Instructions for Populating the Water Availability Summary Table using data from OWRD's WAB (Section 5)

- Open OWRD's Water Availability Reporting System.
- Search for the water availability basin of interest. Select 50% exceedance. The 50% exceedance stream flow is the stream flow that occurs at least half of the time.
- The water availability analysis will display a nested list of watersheds that contain the POD. Select the highest nesting order WAB that contains the POD.
- Download to an Excel spreadsheet. Percent of flow is calculated using this equation:

$$\text{Percent of Flow} = \frac{\text{Consumptive Use}}{\text{Natural Stream Flow}} * 100$$

You may choose to add the proposed rate (or storage amount) to the consumptive use.

Instructions for Water Availability Analysis

To complete Section 6, review and consider the cumulative impact of consumptive withdrawals using the OWRD WAB. All water withdrawals and the following factors should be considered when conducting a water availability analysis.

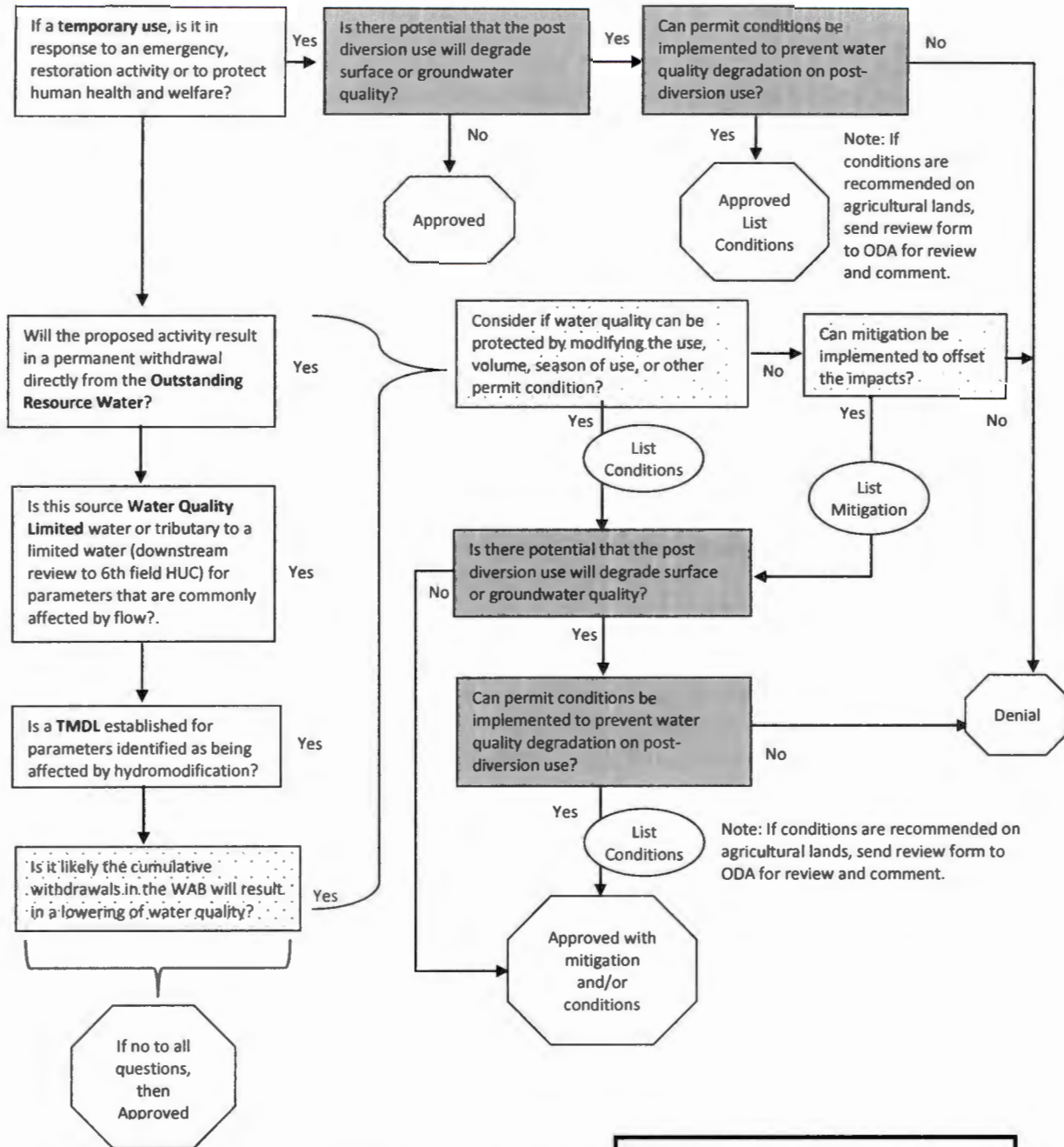
- **Instream Flow**: Consider the percent of natural flow left instream in each month (see right-most column in Table 1). Based on best professional judgment, evaluate if the cumulative withdrawal is likely to cause

impairment to aquatic life or water quality. Water quality standards are established to protect aquatic life. In scientific literature, researchers have identified ecological harm occurring when flows are reduced by >6-35% of daily flow¹. Consider the seasonality of any listings and season of withdrawal to determine impact for each month of the year.

- **Antidegradation:** Rule 340-041-0004 applies: withdrawals cannot cumulatively increase a waterbody's temperature by more than 0.5 degrees Fahrenheit or cause a 0.1 mg/l decrease in dissolved oxygen from the upstream end of a stream reach to the downstream end of the reach so long as it has no adverse effects on threatened and endangered species. See OAR 340-041-0004(3)-(5) for a description in rule of activities that do not result in lowering of water quality.
- **Flow modification:** Consider if cumulative withdrawals are contributing to flow modification and a likely limiting factor in the waterbody at certain times of the year. Temperature and dissolved oxygen are flow-related parameters. When streamflow is reduced, assimilative capacity is reduced. As a waterbody heats up, dissolved oxygen concentrations decline. Reduced stream flows (including groundwater inputs to streamflow), exacerbate temperature and/or dissolved oxygen impairments.
- **Temperature:** Increases in temperature or a reduction in dissolved oxygen adversely impacts ST&E fish. Fish require different temperature and concentrations of dissolved oxygen based on species and life history stage. Oregon's temperature and dissolved oxygen limits are based on the most sensitive species and the life history stage of those species at the location and season of concern. Additional heat or reduction in dissolved oxygen concentrations will further impact these species habitat. Reduced flows can also increase the concentrations of phosphorous, bacteria, pesticides and metals.

¹ Richter BD, Davis MM, Apse C, Konrad C. 2011. *Short Communication, A Presumptive Standard For Environmental Flow Protection*. River Research and Applications. Published online in Wiley Online Library (wileyonlinelibrary.com), DOI: 10.002/rra.1551

DEQ Water Right Review Flow Chart



Each yes will need to be explained by how the use does not comply with existing state and federal water quality standards and how the use may affect sensitive, threatened or endangered fish species habitat.

Note: Review based on DEQ's anti-degradation rule (340-041-0004).

Oregon Department of Fish and Wildlife's WATER RIGHT APPLICATION REVIEW SHEET Lower Columbia Basin (Below Bonneville Dam)

The Oregon Department of Fish and Wildlife (ODFW) provides the following recommendations to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. Mitigation recommendations are to be consistent with the goals and standards in ODFW's OAR 635-415 (Fish and Wildlife Habitat Mitigation Policy) and other applicable law. The information is requested by the Oregon Department of Water Resources (OWRD) for the purposes of consultation pursuant to OAR 690-33 (Additional Public Interest Standards for New Appropriations), OAR 690-310 (Water Rights Application Processing), OAR 690-400 (State Water Resources Policy), and OAR 690-410 (Statewide Water Resource Management).

Section 1: Proposed Use

Proposed period of use (from application): January 1-December 31

Basin: Rogue

Stream: Nye Ditch

Tributary to: Rogue River

TRSQQ: type here (optional)

Section 2: Sensitive, Threatened, and/or Endangered (STE) Fish Species Present

- A) No STE fish species are present at the location of the proposed use nor will be impacted by the proposed use. (Skip to Section 6)
- B) The following STE fish species are present at the location of the proposed use or will be impacted by the proposed use:

STE Species	Listing Status			Life Stage Present		
	Sensitive	Threatened	Endangered	Egg	Juvenile	Adult
Pacific Lamprey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Spring Chinook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Summer Steelhead	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Coho Salmon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>type here</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 3: Potential Impacts to STE Fish Species

Note: Impacts identified below may be determined by professional judgment. Recommended mitigation for identified impacts is outlined in Section 7. See Section 8 for complete "condition" language.

3.1 Instream Flow

Note: Supporting information can be found in the associated Excel file for this application.

- A) ODFW has not identified biologically necessary flows within the impacted reach. However, based on best professional judgment, impacts to STE fish habitat from the proposed reduction in flow are expected to be inconsequential, and no compensation for a reduction in flow is recommended. (Skip to Section 3.2)
- B) There is an instream water right(s) (ISWR) that supports biological base flows for STE fish species at the Point of Diversion or downstream.
Certificate(s): C59817; C9816; C59979; C59980
- C) ODFW has identified biologically necessary flows not captured in an instream water right (e.g., flows in a Basin Investigation Report, Persistence Flow Determination, Seasonally Varying Flow prescription, or other flow analysis) that would benefit STE fish species at the Point of Diversion or downstream.
Source:
- D) Are the biologically necessary flows identified above (Questions B and C) **available**¹ during the period of impact (see Tables 1 and 2 in the associated Excel file for supporting information)?
- YES; "Maintain Flow"
A further reduction in flow from the proposed use will **not** impair the identified biologically necessary flows for STE fish as long as the identified biologically necessary flows remain satisfied.
Note: Mitigation for a reduction in biologically necessary flows [Section 7, Part 1 and 2] is unnecessary, but mitigation may be recommended [Section 7, Part 3] for other impacts identified in Section 3.3.
- NO; The proposed use **will impair** the identified biologically necessary flows for STE fish wholly or partially during the period of impact.

3.2 Fish Passage and Screening

- A) Would the proposed use potentially create or maintain an artificial obstruction² to fish passage for STE native migratory fish currently or historically present *at the point of diversion* per ORS 509.585?
- YES; "Passage"
 NO
- B) Would STE fish species benefit from fish screening per ORS 498.306?
- YES; "Screen"
 NO
 "Future Protection"

¹ Based on information WRD's Water Availability Reporting System (WARS)

² "Artificial obstruction" means any dam, diversion, dike, berm, levee, tide or flood gate, road, culvert or other human-made device placed in the waters of this state that precludes or prevents the migration of native migratory fish.

Fish screening will not currently benefit STE fish species but may be beneficial in the future if conditions within the watershed change. Please describe current conditions within the watershed: type here

3.3 Other Ecological Functions Important to STE Fish

Are there other impacts to ecological functions important to STE fish during the period of impact (see Table 3 in the associated Excel file for supporting information)?

- YES; Mitigation will be recommended in Section 7, Part 3.
- The proposed dam or reservoir will detrimentally inundate a wetland.
 - Development of the point of diversion may reduce/degrade the riparian area.
 - The proposed use will limit access to or directly impair cold-water refuges.
 - Other impacts to STE fish: type here
- NO

Section 4: ODFW Findings Regarding Threatened and Endangered Fish Species (under OWRD's Division 33 Lower Columbia Rules)

Overarching Question 1:

Is the proposed use detrimental to the protection or recovery of a threatened or endangered fish species?

- Not applicable; threatened and endangered fish are not present at the location of the proposed use nor will be impacted by the proposed use. **Skip to Section 5.**
- NO; ODFW did not identify impairment of biologically necessary flows (Page 2, Section 3.1, Question D), impacts to ecological functions important to protection or recovery of threatened and endangered fish (Page 3, Section 3.3), or impacts to threatened and endangered fish habitat from the proposed reduction in flow are expected to be **inconsequential or de Minimis** based on best professional judgment.
- YES; Based on knowledge of recovery plans, the Fish and Wildlife Program, and regional restoration programs, ODFW found the use to be detrimental to the protection or recovery of a threatened or endangered species due to impairment of biologically necessary flows (Page 2, Section 3.1, Question D) or to impacts to ecological functions important to threatened and endangered fish (Page 3, Section 3.3).

Overarching Question 2:

Can the use be conditioned or mitigated to avoid the detriment to a threatened or endangered fish species?

- NO; ODFW found the proposed use will impact irreplaceable, essential habitat for a threatened or endangered fish species, population, or a unique assemblage of species that is limited on either a physiographic province or

site-specific basis (i.e., **Category 1 Habitat**). ODFW recommends avoidance of the impact through alternatives to the proposed use or no authorization of the proposed use if impacts cannot be avoided.

Note: This finding may prohibit the application from moving forward as proposed, so consult with the Water Quality/Quantity Program Manager prior to making this recommendation. Check Box A on page 8 and sign the document on page 11 prior to submitting the review to WRD.

YES:

- Available information shows flows within the impacted reach are currently wholly or partially below those essential to support the biological needs of threatened or endangered fish and/or the proposed use will otherwise impact habitat or ecological functions important to threatened or endangered fish. Without appropriate mitigation, a further reduction in flow or alteration of habitat from the proposed water use will impair or be detrimental to threatened or endangered fish. ODFW recommends the applicant submit, to the application caseworker at WRD, a Mitigation Proposal that fulfills the Mitigation Obligation consistent with the goals and standards of OAR 635-415-0025 (ODFW Habitat Mitigation Recommendations) outlined in Section 7, and other conditions recommended below (from Section 3 and 4), to compensate for any potential impact from the proposed use.

- In addition to conditions identified in Section 3 and mitigation outlined in Section 7, ODFW recommends the following:

Flow

1) Inconsequential or De Minimis Uses

- “Restrictor”**

Note: ODFW has determined that compensation for a reduction in flow is not necessary. However, a restrictor valve should be placed on the diversion system to ensure the permitted amount is not exceeded.

2) Surface Water or Groundwater Uses

- “Biologically Necessary Flows”**

To protect beneficial uses, ODFW recommends the biologically necessary flows identified in Section 3.1 B or C [see OAR 690-410-0070(2)(h)] be met or the use mitigated for (see Recommended Mitigation Obligation in Section 7) prior to diversion of water.

Note: Mitigation may be also be recommended [Section 7, Part 3] for impacts identified in Section 3.3.

3) Reservoir Uses

Note: Specific mitigation for a reduction in biologically necessary flows [Section 7, Part 1 and 2] is not being recommended beyond the following condition, but mitigation may be recommended [Section 7, Part 3] for other impacts identified in Section 3.3.

- “Bypass Flows”** (pass-through flows for reservoirs that directly divert from surface water)

- plus a net benefit** (for reservoirs that directly divert from Habitat Category 2)

Other Ecological Functions

- “Riparian”**

- Site-specific condition(s), including those related to **Other Ecological Functions Important to STE Fish** (Section 3.3): type here

Section 5: ODFW Findings Regarding Sensitive Fish Species (under OWRD's Division 33 Statewide Rules)

Overarching Question 1:

Will the proposed use result in no net loss of essential habitat of a sensitive fish species?

- Not applicable; sensitive fish are not present at the location of the proposed use nor will be impacted by the proposed use. **Skip to Section 6.**
- YES: ODFW did **not** identify impairment of biologically necessary flows (Page 2, Section 3.1, Question D), impacts to ecological functions essential to sensitive fish (Page 3, Section 3.3), or the impacts to essential fish habitat from the proposed reduction in flow are expected to be **inconsequential or de Minimis** based on best professional judgment.
- NO; ODFW has found impairment of biologically necessary flows (Page 2, Section 3.1, Question D) or impacts to ecological functions (Page 3, Section 3.3) essential to sensitive fish species during the period of impact.

Note: For impacts to habitat identified as non-essential (i.e., Habitat Categories 3B-6), impacts may be identified in Section 6.

Overarching Question 2:

Can the use be conditioned to result in no net loss of essential habitat of a sensitive fish species?

- NO; ODFW found the proposed use will impact irreplaceable, essential habitat for a sensitive fish species, population, or a unique assemblage of species that is limited on either a physiographic province or site-specific basis (i.e., **Category 1 Habitat**). ODFW recommends avoidance of the impact through alternatives to the proposed use or no authorization of the proposed use if impacts cannot be avoided. Otherwise, the proposed use would harm the species.

Note: This finding may prohibit the application from moving forward as proposed, so consult with the Water Quality/Quantity Program Manager prior to making this recommendation. Check Box A on page 8 and sign the document on page 11 prior to submitting the review to WRD.

- YES:

Same conditions and mitigation as outlined in Sections 3, 4, and 7.

- In addition to conditions identified in Section 3 (and 4) and mitigation outlined in Section 7, ODFW recommends the following:

Flow

- "Maintain Flow"
- "Restrictor"
- "Biologically Necessary Flows"
- "Bypass Flows"

plus a net benefit

Site-specific condition(s): type here

Passage and Screening

- "Passage"
- "Screen"
- "Future Protection"

Other Ecological Functions [Section 3.3]

"Riparian"

Site-specific condition(s): type here

Section 6: ODFW's Public Interest Findings (under OWRD's Division 310)

Overarching Question 1:

Will the proposed use impair or be detrimental to the public interest, welfare, safety and health in regards to protection of commercial and game fishing, fish, wildlife, or recreation, or any other beneficial use to which the water may be applied for which it may have a special value to the public?

Note: Comment on STE wildlife species or other fish or wildlife species not already discussed.

YES:

- Fish or wildlife not yet addressed in this review in Sections 1 – 5 are present during the period of impact.

Wildlife species present: type here

Additional fish species present: Fall Chinook Salmon, Winter Steelhead

Additional comments: type here

- Available information shows flows within the impacted reach are currently wholly or partially below those essential to support the biological needs of fish or wildlife, and/or the proposed use will otherwise impact habitat, commercial and game fishing, or recreation. Without appropriate mitigation, a further reduction in flow or alteration of habitat from the proposed water use will impair or be detrimental to fish, wildlife, and/or their habitat.

- There are other impacts to ecological functions important to fish or wildlife during the period of impact that have not been addressed (see Table 3 in the associated Excel file for supporting information). Mitigation will be recommended in Section 7, Part 3.

The proposed dam or reservoir will detrimentally inundate a wetland.

Development of the point of diversion may reduce/degrade the riparian area.

The proposed use will limit access to or directly impair cold-water refugia.

Other impacts to STE fish: type here

- NO; Additional commercial and game fishing, fish, wildlife, or recreation will not be affected by the proposed use.

Overarching Question 2:

Can the proposed use be conditioned to overcome the impairment or detriment?

- NO; The proposed use will impact irreplaceable, essential habitat for a fish or wildlife species, population, or a unique assemblage of species that is limited on either a physiographic province or site-specific basis (i.e., **Category 1 Habitat**). ODFW recommends avoidance of the impact through alternatives to the proposed use or no authorization of the proposed use if impacts cannot be avoided.

Note: This finding may prohibit the application from moving forward as proposed, so consult with the Water Quality/Quantity Program Manager prior to making this recommendation. Check Box A on page 8 and sign the document on page 11 prior to submitting the review to WRD.

- YES; ODFW recommends the following:

The next steps and recommended conditions provided in this review thus far (i.e., Findings under WRD's Division 33) compensate for habitat impacts for the fish and/or wildlife species present. Additional conditions are **NOT** necessary.

In addition to conditions identified in Section 3 (and 4 and mitigation outlined in Section 7, ODFW recommends the following to protect commercial and game fishing, fish, wildlife, or recreation:

Flow

"Maintain Flow"

"Restrictor"

"Biologically Necessary Flows"

"Bypass Flows"

plus a net benefit

Site-specific condition(s): type here

Passage and Screening

"Passage"

"Screen"

"Future Protection"

Other Ecological Functions [Section 3.3]

"Riparian"

Site-specific condition(s): type here

Section 7: ODFW Mitigation Recommendations

ODFW's Recommended Mitigation Obligation

Available information shows flows within the impacted reach are currently wholly or partially below those essential to support the biological needs of fish, wildlife, or habitats and/or the proposed use will otherwise impact habitat. The proposed use may diminish physical habitat and alter the flow regime to which fish and wildlife are naturally adapted, negatively impacting their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed water use will impair or be detrimental to fish, wildlife, and/or their habitat without appropriate mitigation.

ODFW recommends the applicant submit, to the application caseworker at WRD, a Mitigation Proposal that fulfills the Mitigation Obligation outlined below (consistent with the goals and standards of OAR 635-415-0025; ODFW Habitat Mitigation Recommendations), as well as other conditions recommended in Sections 3-6. ODFW recommends the Proposal include an assessment of options using the following actions listed in order of priority:

- (1) avoiding the impact altogether,
- (2) minimizing the impact by limiting the degree or magnitude of the action,
- (3) rectifying the impact by repairing, rehabilitating, or restoring the affected environment,
- (4) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the development action and by monitoring and taking appropriate corrective measures, and
- (5) compensating for the impact by replacing or providing comparable substitute resources or environments.

ODFW recommends the applicant contact the caseworker to schedule a consultation with the local ODFW Fish Biologist concerning the recommended Mitigation Obligation if questions arise.

Choose A, B, or C:

- A) Mitigation is not an option. ODFW recommends avoidance of the impact through alternatives to the proposed use or no authorization of the proposed use if impacts cannot be avoided.
- B) Impacts to fish and/or wildlife habitat from the proposed use are expected to be inconsequential. Therefore, ODFW has determined that mitigation is not necessary.
- C) Based on ODFW's knowledge of applicable Subbasin Plans, Recovery Plans, Regional Restoration Plans, or other documents, the proposed use appears inconsistent with the Northwest Power and Conservation Council's Columbia River Basin Fish and Wildlife Program³ or would otherwise be detrimental to the protection and/or recovery of STE fish species, non-listed fish species, or wildlife. Therefore, ODFW recommends the mitigation obligation, consistent with OAR 635-415, outlined below. To meet the goals outlined in ODFW's Mitigation Policy, ODFW recommends the mitigation provided be available within the mitigation reach and legally protected and maintained for the life of the permit and subsequent certificate.

ODFW Representative's Signature: _____

Date: 2/10/20

Name: Jason Brandt

Phone: 541-464-2182

Email: Jason.r.brandt@state.or.us

³ Water Resources Department's document number 94-2

Part 1: Flow Mitigation

ODFW recommends the applicant provide water-for-water mitigation, as outlined below.

A) Water Quantity: (cfs or AF)

plus a net benefit (for Habitat Category 2)

B) Months (when biologically-necessary flows are not met during the period of impact):

C) Location of Mitigation:

within the watershed **at or above** the point of diversion

at or above the point of diversion is preferred, but may occur within the watershed of the impacted population(s)

within the watershed of the impacted population(s)

benefitting the impacted population(s) and/or higher priority species: list species here

D) Additional comments:

Part 2: Habitat Restoration

Does the Mitigation Goal also allow a habitat restoration project as a mitigation option (i.e., impacts to Habitat Categories 3 – 6)?

YES; In lieu of providing “water-for water”, ODFW’s Habitat Mitigation Policy allows the applicant the option of providing mitigation through a habitat restoration project that recreates similar habitat structure and function to that existing prior to the development action. If the applicant is interested in pursuing this option, please contact the local ODFW Fish Biologist for further information.

NO; Skip to Part 3, if applicable.

Part 3: Other Ecological Functions Mitigation

ODFW recommends the applicant provide the following mitigation, including, but not limited to, mitigation for “Other Impacts to Ecological Functions” or impacts to wildlife.

A) Habitat Structure and Function in Need of Replacement: type here

B) Months:

In Perpetuity

Other: type here

C) Location of Mitigation:

within the watershed **at or above** the point of diversion

at or above the point of diversion is preferred, but may occur within the watershed of the impacted population(s)

within the watershed of the impacted population(s)

within the home range of the impacted population(s): type here

anywhere benefitting the impacted population(s) and/or higher priority species: list species here

D) Additional comments: type here

Section 8: ODFW's Recommended Condition Language

Biologically Necessary Flows

To protect beneficial uses [OAR 690-410-0070(2)(h)], the Oregon Department of Fish and Wildlife recommends the biologically necessary flows identified in Section 3.1 be met or the use mitigated for prior to diversion of water.

Bypass Flows (for reservoirs that directly divert from surface water)

The Oregon Department of Fish and Wildlife (ODFW) recommends 1) all live flow be passed downstream at a rate equal to the inflow anytime the biologically necessary flows identified in Section 3.1 are not available immediately upstream of the impacted area or 2) bypass (pass-through) flows be passed downstream at a minimum **equal to** the biologically necessary flows identified in Section 3.1 when live flow immediately upstream of the impacted area is greater than or equal to the biologically necessary flows identified in Section 3.1 [OAR 690-410-0070(2)(c)] **(plus a net benefit to the resource for Habitat Category 2, if identified)**. Once the facility has reached the permitted capacity, ODFW recommends all live flow be passed downstream at a rate equal to the inflow. If a water right with a senior priority date is purchased upstream and legally protected and maintained instream down to the reservoir to augment any portion of the biologically necessary flows identified in Section 3.1 not available, ODFW recommends the permittee store water at a rate equal to inflow minus the amount of water purchased. ODFW recommends the permittee submit a Bypass Proposal to the Oregon Water Resources Department for its approval prior to diversion of water, which describes the method by which the permittee will bypass the recommended flows and how the permittee will quantify and document inflow and outflow. ODFW also recommends the bypass flow data be available upon request by ODFW, WRD, DEQ, or ODA.

Future Protection

The Oregon Department of Fish and Wildlife (ODFW) has determined that fish screening is not necessary at the time of permit issuance, but the permittee may be required in the future to install, maintain, and operate fish screening per ORS 498.306 to prevent harm to fish from the proposed diversion. ODFW may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification from ODFW that a fish screen is required. Once installed, the water user shall operate and maintain the fish screen consistent with ODFW's operation and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

Maintain Flow

To protect beneficial uses [see OAR 690-410-0070(2)(h)], the Oregon Department of Fish and Wildlife recommends the biologically necessary flows identified in Section 3.1 be maintained at the point of diversion or the use be regulated until the identified flows are available.

Mitigation

The Oregon Department of Fish and Wildlife (ODFW) recommends the permittee comply with terms of the associated Mitigation Proposal on file at the Water Resources Department to compensate for detrimental impacts to fish, wildlife, and/or their habitat. The Mitigation Proposal is fully incorporated into the requirements of this permit and may only be altered by written mutual agreement of all parties. ODFW recommends (1) the mitigation provided be legally protected and maintained for the life of the permit and subsequent certificate and (2) regulation of the use and/or cancellation of the permit or subsequent certificate(s) if the required mitigation is not maintained.

Passage

As required by ORS 509.585, the permittee shall not construct, operate, or maintain any dam or artificial obstruction to fish passage across any waters of this state that are inhabited, or were historically inhabited, by native migratory fish without obtaining approval from the Oregon Department of Fish and Wildlife (ODFW). The permittee shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish passage facility, waiver, or exemption must be obtained prior to construction of any in-channel obstruction or prior to diversion of water that may create an artificial obstruction due to low flow, and the permittee shall submit proof to ODFW that fish passage has been implemented per the plan, waiver, or exemption prior to diversion of water. The permittee shall maintain adequate passage of native migratory fish at all times (ORS 509.601) as per the approved plan, waiver, or exemption. If ODFW determines adequate passage of native migratory fish is not being provided, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that adequate fish passage is being provided. The permittee is hereby directed to schedule a consultation with an ODFW Fish Passage Coordinator.

Restrictor

The permittee shall install, maintain, and operate a restrictor valve on the diversion system to limit use to the permitted amount. The valve shall be in place and functional, and approved by the local Watermaster, prior to diversion of water.

Riparian

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with the Oregon Department of Fish and Wildlife's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. Prior to diversion of water, the permittee shall submit a Riparian Mitigation Plan approved in writing by ODFW unless ODFW provides documentation that riparian mitigation is not necessary. The permittee is hereby directed to contact the local ODFW Fish Biologist prior to diverting water.

Screen

The permittee shall install, maintain, and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards or submit documentation that ODFW has determined fish screening is not necessary or is exempted. Fish screening is to prevent fish from entering the proposed diversion. The required screen is to be in place, functional, and approved in writing by ODFW prior to diversion of water. The water user shall operate and maintain the fish screen consistent with ODFW's operation and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly. The permittee is hereby directed to schedule a consultation with an ODFW Fish Screening Coordinator.

Section 9: ODFW's Review of the Mitigation Proposal

Because the mitigation is site- and species-specific, ODFW recommends written approval of the Proposal by ODFW prior to issuance of a Proposed Final Order. ODFW finds the following:

ODFW **supports** the Mitigation Proposal with the following condition(s):

"Mitigation"

Site-specific condition(s): type here

Additional information:

A Fish Passage Waiver or Exemption has been granted for the proposed POD that fulfills the fish passage requirements for this use.

Comments: type here

ODFW **cannot support** the Mitigation Proposal because it is not consistent with the criteria in OAR 635-415.

The proposed mitigation will result in a net loss of essential habitat for: list species here

Habitat goals and standards not met: type here and explain why not met

ODFW Representative's Signature: _____ Date: type here

Name: type here

Phone: type here

Email: type here



File #: S-88758
William Hoag

Oregon Water Resources Department

Application Supplement for Human Consumption & Livestock Uses

For water use permit applications within or above scenic waterways, or from streams for which water is not available due to required instream flows, the Department may issue limited permits for human consumption and livestock uses. Human consumption use is limited to 500 gallons per day for indoor use only for drinking, cooking, and sanitation, and does not include other uses such as lawn or garden watering or other related water uses.

In order to issue a permit to you for human consumption or livestock use, the Department must find that you cannot reasonably obtain water from any other source. For human consumption, an additional finding must be made that denial of the water right would result in loss of reasonable expectations for use of your property. For livestock use, additional findings must be made that issuance of a permit is necessary to prevent the livestock from watering in or along the stream bed and that you have excluded livestock from the stream and the adjacent riparian zone.

Please answer the following questions, and sign and return this form to Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266.

1. Can you reasonably obtain water from any other source? YES NO

If not, please describe why each of the following options are not reasonable:

- a. Groundwater, such as a well on yours or a neighbor's property. (If expense is the reason groundwater is not reasonable, please provide two estimates of the cost.)

I HAVE DRILLED 3 WELLS
AND NO WATER

- b. Securing stored water from upstream reservoirs.

YES (RUE DITCH) IMPROVEMENT
DISTRICT INC.

- c. Trucking water. (If expense is the reason this option is not reasonable, please provide a copy of an estimate of the cost of trucking water.)

2000 GAL DELIVERED IS
120⁰⁰ I AM RETIRED I CANNOT
AFFORD THAT

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d. Community or municipal water suppliers.

NYE DITCH USERS IMPROVEMENT DISTRICT INC.

e. Tying in to a neighboring property's spring.

N/A

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g. Transferring existing water rights to your proposed use(s).

YES

Please identify any other alternate water sources you have considered, and why they are not feasible:

N/A NO OTHER SOURCES

2. If you are seeking a permit for **human consumption use**, would denial of your application result in loss of reasonable expectations for use of your property?

YES NO NOT APPLICABLE

If so, please describe how:

ITS HARD TO SELL PROPERTY WITH NO WATER

3. If you are seeking a permit for **livestock use**, is the proposed use necessary to prevent the livestock from watering in or along the stream bed?

YES NO NOT APPLICABLE

4. If you are seeking a permit for **livestock use**, have you excluded livestock from the stream and the adjacent riparian zone?

YES NO NOT APPLICABLE

Applicant Signature: William D Hoag Date: 9-15-19

KIM FRENCH

WE TALKED ABOUT THIS AWHILE BACK. I HAD BY-PASS SURGERY AND THINGS WERE REALY MIXED UP FOR AWHILE. IM DOING GOOD NOW

If we do not receive the items requested above or a request for an administrative hold by **July 25, 2019**, the Department will likely proceed with a Proposed Final Order recommending denial 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 **July 5, 2019**. 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. **Water Use Measurement, Recording, and Reporting Condition:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter 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 permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

If you have any questions:

Feel free to contact me at Kim.R.French@oregon.gov or 503-986-0816 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 503-986-0900. When corresponding by mail, please use this address: Kim

Handwritten: 588758

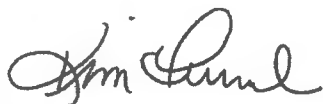
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French, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Kim French
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description and Stop Processing Request Form
S-88758
WAB: 15-272

Application for a Permit to Use
Surface Water

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>William H. Hoag</i>		PHONE (HM) <i>541 560 4172</i>	
PHONE (WK)	CELL <i>541 941 2533</i>	FAX	
ADDRESS <i>2750 Mill CR. DR.</i>			
CITY <i>PROSPECT</i>	STATE <i>OR</i>	ZIP <i>97536</i>	E-MAIL *

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate

William H Hoag *WILLIAM H HOAG (OWNER)* *2-12-19*
Applicant Signature Print Name and Title if applicable Date

Applicant Signature Print Name and Title if applicable Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: <u>Rogue River</u>	Tributary to: <u>Pacific Ocean</u>
TRSQQ of POD: <u>32-3E-29 NWSW</u>	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes.
- No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

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For Department Use: App. Number: 5-88758

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

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- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

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Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

Table with 4 columns: SOURCE, USE, PERIOD OF USE, AMOUNT. Row 1: Rogue River, Domestic, year Round, 2.25 gpm.

Please indicate the number of primary and supplemental acres to be irrigated.
Primary: 0 Acres Supplemental: 0 Acres
If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): 0
Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 500 GPD

- If the use is municipal or quasi-municipal, attach Form M
• If the use is domestic, indicate the number of households: 1
• If the use is mining, describe what is being mined and the method(s) of extraction: 0

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

[] Pump (give horsepower and type):

[x] Other means (describe):

WATER IS CONVEYED VIA NYE DITCH WATER IS GRAVITY Fed
Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

SEE ANSWER ABOVE

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

HUMAN CONSUMPTION ONLY NOT TO EXCEED 500 GPD

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SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions: NYE Ditch Currently Has Fish Screens in Place

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: _____

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: _____

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions: _____

List other federal and state permits or contracts to be obtained, if a water right permit is granted. _____

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: When Permit is GRANTED
- b) Date construction will be completed: With in 5 YRS OF Receiving Permit
- c) Date beneficial water use will begin: When Permit is GRANTED

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name <u>NYE Ditch</u>		Address <u>PO BOX 93</u>	
City <u>Prospect</u>	State <u>Oregon</u>	Zip <u>97536</u>	

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

SEE ATTACHMENT

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

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Applicant

NAME <i>William H HOAG</i>		PHONE (HM) <i>541 560-4172</i>	
PHONE (WK)	CELL <i>541-941-2533</i>	FAX	
ADDRESS <i>2750 Mill Creek DR</i>			
CITY <i>PROSPECT</i>	STATE <i>OR</i>	ZIP <i>97536</i>	E-MAIL*

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<i>33</i>	<i>2E</i>	<i>16</i>	<i>NWNE</i>	<i>204</i>		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<i>Dom</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water Right Transfer
- Permit Amendment or Groundwater Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) *Rogue River*

Estimated quantity of water needed: *500 GPD* cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for *1* household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Requesting Domestic water from Rogue River

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

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Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Table 6.2-1
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Use is allowed by right / use to serve dwelling

NAME: <u>Summer Williams</u>	TITLE: <u>Planner 1</u>
SIGNATURE:	DATE: <u>2/15/19</u>
PHONE: <u>341-774-6907</u>	
GOVERNMENT ENTITY: <u>Jackson County Development Services</u>	

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

5-88758

This application requests an exception to the 80% water availability calculation, as permitted under OAR 690-410-0070(2)(a). Under the rule, when a stream is otherwise over-appropriated to the extent that water is not available based on the 80% exceedance methodology, “some additional uses may be allowed where the public interest in those uses is high and uses are conditioned to protect instream values.” There can be no question that water for human consumption constitutes a high public interest. ORS 536.310(3) expresses state policy that adequate and safe supplies of water are to be preserved and protected for human consumption. ORS 536.310(12) provides that when proposed uses of water are in conflict, or supplies are inadequate for all who desire to use them, preference shall be given to human consumption over all other uses. Applicable OWRD guidance documents also confirm the Department’s previous determination of a high public interest in providing water for human consumption needs. *See*, OWRD Guidance Memo dated August 15, 2008 relating to Water Availability Determinations for HC [human consumption] applications; Guidance Memo dated December 5, 1996, relating to Human Consumption and Instream Water Rights; Guidance Memo dated August 26, 1996, relating to Instream Water Right “Exceptions” and human consumption use.

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I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

Grantor's Name and Address
WILLIAM H. HOAG
PO BOX 27
PROSPECT, OREGON 97536
Grantee's Name and Address
WILLIAM H. HOAG AND
NADA ATWOOD, TRUSTEES
HOAG LIVING TRUST
DATED MARCH 24, 2008
PO BOX 27
PROSPECT, OREGON 97536
After recording, return to:
JAMES H. SMITH, ATTORNEY AT LAW
711 BENNETT AVENUE
MEDFORD, OREGON 97504
Until requested otherwise, send all tax statements to:
WILLIAM H. HOAG
NADA ATWOOD
PO BOX 27
PROSPECT, OREGON 97536

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WARRANTY DEED

KNOW ALL BY THESE PRESENTS that WILLIAM H. HOAG, hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by WILLIAM H. HOAG AND NADA ATWOOD, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE HOAG LIVING TRUST DATED MARCH 24, 2008, AND ANY AMENDMENTS THERETO, hereinafter called grantee, do hereby grant, bargain, sell and convey unto grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Jackson County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to the Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligation under this instrument, but merely define the scope, nature and amount of such liability or obligations.

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except: NONE, and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument this 24th day of March, 2008 if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

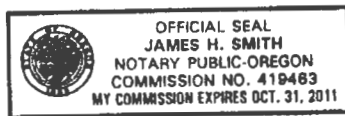
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

WILLIAM H. HOAG

State of Oregon)
: ss.
County of Jackson)

Before me this 24th day of March, 2008, personally appeared WILLIAM H. HOAG, and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary Public of Oregon
My Commission expires: 10/31/2011



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EXHIBIT "A"

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Beginning at the east sixteenth corner between Sections 9 and 16 in Township 33 South Range 2 East of the Willamette Meridian in Jackson County, Oregon; thence along the east line of the West Half of the Northeast Quarter of said Section 16, South 1°27'02" West 761.46 feet to a brass cap monument; thence North 75°15'00" West 308.76 feet to a pipe; thence North 37°20'00" West 400.00 feet to a pipe; thence North 11°45'00" West 250.00 feet to a pipe; thence North 73°30'00" West 270.00 feet to a pipe; thence South 78°49'00" West 460.00 feet to a pipe on the north-south center line of said Section 16; thence North 1°24'16" East, along said line; to the northwest corner of the Northeast Quarter of said Section; thence South 86°02'55" East to the point of beginning. EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its State Highway commission by deeds recorded in Volume 478 page 158, Volume 487 page 154, and Volume 506 page 446 of the Deed Records of Jackson County, Oregon.

ALSO: Commencing at a 2" brass capped iron pipe set for the east sixteenth corner common to Sections 9 and 16 in Township 33 South, Range 2 east of the Willamette Meridian in Jackson County, Oregon. thence South 86°02'55" East, along the southerly boundary of Section 9, said Township and range, 114.58 feet to a 5/8" iron pin for the true point of beginning; thence, along the arc of a 61.84 foot radius curve to the left, the long chord of which bears North 46°16'35" East 91.44 feet, a distance of 102.91 feet to a 5/8" iron pin; thence South 1°23'55" East 67.90 feet to a 3/4" iron pin on the southerly boundary of Section 9, Said Township and Range; thence North 86°02'55" West, along said southerly boundary, 67.90 feet to the true point of beginning.

ALSO: Beginning at a 2" brass capped iron pipe set for the east sixteenth corner common to Sections 9 and 16 in Township 33 South, Range 2 east of the Willamette Meridian in Jackson County, Oregon; thence South 86°02'55" East, along the southerly boundary of Section 9, said Township and range, 182.48 feet to a 3/4" iron pin; thence North 1°23'55" West 754.16 feet to a 1-1/4" iron pipe intended to be on the southerly boundary of Mill Creek Drive; thence North 77°25' East, along said southerly boundary, 30.58 feet to a 5/8" iron pin; thence leaving said southerly boundary, South 1°23'55" East 692.19 feet to a 5/8" iron pin; thence, along the arc of a 91.84 foot radius curve to the right, the long chord of which bears South 46°16'35" West 135.80 feet, a distance of 152.84 feet to a 5/8" iron pin; thence North 86°02'55" West 112.52 feet to a 5/8" iron pin intended to be on the westerly boundary of the Northeast Quarter of the Northeast Quarter of Section 16, said Township and Range; thence North 0°01'45" East, along said westerly boundary, 30.07 feet to the point of beginning.

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2'

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership - *copy of deed or proof of ownership*
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ _____
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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246
8:00



JACKSON COUNTY
Oregon

Development Services

10 S. Oakdale Ave, Room 100 • Medford, OR 97501-2902 • Phone: 541-774-6900 • Fax: 541-774-6791

Request for Assistance

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* Indicates Required

PLEASE PRINT:

Nada
William H Hoag
*Name (Person completing this form)

541 560 4172
541 840 8714
*Phone

Property Owner (If different from above)

Email

439-19-00270-ZON (LULS)
Associated Permit / Case # (s) (i.e. ZON2004-00999, BLD2003-00899)

PROPERTY IDENTIFICATION:

2750 Mill Ck Dr 33 2E 16 204
*Site Address Township Range Section 1/4 Section Taxlot

Site Address Township Range Section 1/4 Section Taxlot

Site Address Township Range Section 1/4 Section Taxlot

***HOW CAN WE ASSIST YOU? (Please be as specific as possible)**

water resources

OSD-5 439-00-12-FC 439-2001-0004-R3 (E)



Transaction Receipt

439-19-00270-ZON

Receipt Number: 259364

Receipt Date: 2/15/19

Jackson County Planning Department

Development Services Planning Division
10 S Oakdale Ave, Room 100
Medford, OR 97501
541-774-6907
Fax: 541-774-6791
jcplanning@jacksoncounty.org

Worksite address: 2750 MILL CR DR, PROSPECT, OR
Parcel: 33-2E-16-204

Fees Paid

Transaction date	Units	Description	Account code	Fee amount	Paid amount
2/15/19	1.00 Ea	Type I Counter Permit	3701040000.45105.1300	\$116.00	\$116.00

Payment Method: Check number: 6460 Payer: William Hoag Payment Amount: \$116.00
 Transaction Comment: LUCS_sw

Cashier: Summer M. Williams

Receipt Total: \$116.00

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5-88758



Oregon Water Resources Department Surface Water Application

[Main](#)

[Help](#)

[Return](#)

[Contact Us](#)

Today's Date: Tuesday, February 12, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	.005	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	0	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

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5-88758



**Oregon Water Resources Department
Surface Water Application**

- [Main](#)
- [Return](#)
- [Help](#)
- [Contact Us](#)

Today's Date: Tuesday, February 19, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

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S-88758



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

February 20, 2019

William H Hoag
2750 Mill Creek Dr
Prospect OR 97536

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Dear William H Hoag:

The Water Resources Department has received your application for a permit to use surface or ground water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the enclosed checklist.

Should you have any questions, please contact Water Right Customer Service at 503-986-0810.

Sincerely,

Judy Ferrell
Water Rights Customer Service

Cc: OWRD Fiscal

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

5-88758



Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

- A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **129333**

INVOICE # _____

RECEIVED FROM: William H. Hoag
BY: _____

APPLICATION	5-88758
PERMIT	
TRANSFER	

CASH: CHECK:# 6458 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,800.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
	OTHER: (IDENTIFY)	\$
0243	I/S Lease	_____
0244	Muni Water Mgmt. Plan	_____
0245	Cons. Water	_____

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$
WATER RIGHTS:		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY)	\$

EXAM FEE
\$ 1,280.00
\$
\$
EXAM FEE
\$

RECORD FEE
\$ 520.00
\$

LICENSE FEE
\$
\$

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	_____
0210	MONITORING WELLS	\$	CARD #	_____
	OTHER (IDENTIFY)	_____		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **129333**

DATED: 3/14/19 BY: [Signature]