BEFORE THE STATE WATER RESOURCES BOARD OF OREGON

In the matter of formulating an integrated, coordinated program for the use and control of the water resources of the Upper Willamette River Basin	)))))	Upper Willamette River Basin June 22, 1964

WHEREAS the State Water Resources Board under the authority of ORS 536.300 has undertaken a study of the Upper Willamette River Basin;

WHEREAS results of this study have been published in State Water Resources Board Report, Upper Willamette Basin;

WHEREAS in this study consideration was given to means and methods of augmenting, conserving, and classifying such water resources, existing and contemplated needs and uses of water for domestic, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses, and for pollution abatement as well as other related subjects including drainage, reclamation, and flood control; and

WHEREAS as a result of said study the following findings have been reached by this board:

1. The total quantity of water is sufficient on an average year basis to satisfy all existing and contemplated needs and uses of water with the exception of the utilization of water to minimize pollution.

2. Total yields are adequate in average years but geographical and seasonal maldistribution will result in water shortages in some areas where reliance is placed on natural streamflow.

3. Seasonal maldistribution of supply has been reduced in part by storage on major streams. Under construction, authorized, and recommended storage projects will further improve low flow conditions.

4. On most of the main streams of the basin supplies are adequate to meet existing rights. On small streams, particularly those originating in the Coast Range and parts of the lower Cascades, summer flows are not adequate to meet all existing rights simultaneously.

5. Ground water supplies are available in varying quantities throughout the basin.

6. There are large quantities of unappropriated water which come under the jurisdiction of the State Water Resources Board, but precise quantities are undetermined.

7. *There is need to adjudicate the waters of the Upper Willamette River Basin to determine existing rights.*

8. *Rural domestic water supplies come mainly from ground water sources. Many of the supplies are taken from low-yield aquifers and seasonal shortages are not uncommon.*

9. *Surface and ground water sources supplying municipal needs are adequate for existing and presently foreseeable needs.*

10. *Inadequate precipitation during the growing season results in a need for irrigation for most crops producing a high value per acre.*

11. *About 40 percent of the land holding irrigation rights was irrigated in 1950.*

12. *Contracts have been completed for use of stored water for irrigation from Corps of Engineers reservoirs to serve less than one percent of the irrigable land in the basin.*

13. *The expansion of irrigation from minor tributaries may require storage development within those areas.*

14. *Approximately one-third of the irrigable acreage is considered economically feasible of irrigation in the foreseeable future.*

15. *Water stored in existing and contemplated Corps of Engineers reservoirs will be adequate to supply anticipated irrigation needs for the major acreage in the basin.*

16. *Power development is presently an important use of water in the basin.*

17. *Major potential for additional power use is on the McKenzie River but development on the main stem of this stream would conflict with fish life and recreation uses.*

18. *The economic merit of additional power development in the basin has not been fully established.*

19. *There is substantial potential for industrial development in the basin particularly in the wood products and food processing industries.*

20. *Water supplies for these relatively major water-using industries are considered adequate.*

21. *It is anticipated that water for most potential minor water-using industries will be supplied from municipal sources.*

22. *Mining is not at present a significant use of water.*

23. *Present knowledge of mineral resources does not indicate major mining use of water in the foreseeable future.*

24. *Water-based recreation is a major economic and social value to the basin and to the state.*

25. *Recreation requirements for water are large and will continue to grow, probably at an accelerated rate.*

26. *Recreation requirements are mainly nonconsumptive in nature.*

27. *Recreation will conflict with other uses of water as development occurs.*

28. *Irrigation and power are authorized uses of water stored in Corps of Engineers reservoirs but recreation is permitted subject to the ultimate requirements of authorized purposes.*

29. *Reservoir recreation values cannot be maximized when project waters are released from storage for authorized downstream purposes.*

30. *Supplemental supplies will be needed to maximize recreation values.*

31. *The McKenzie River is superior as a natural recreation attraction.*

32. *The highest value of the natural lakes of the high Cascades is for existing and future recreation use.*

33. *Water consumption by wildlife does not represent a significant quantity.*

34. *The basin has a valuable fishery resource composed of anadromous species, resident trout, and warm-water game fish.*

35. *The basin has potential for enhancement of its fishery resource. Realization of this potential will require improvements in low flow conditions and water quality.*

36. *Important streams and stream sections in the basin do not have sufficient flow in periods of low as well as critical flow to sustain minimum levels for nonconsumptive uses of fish life and recreation.*

37. *Maximum enhancement of the anadromous fishery potential will require improvement in fish passage and water quality in the lower Willamette River downstream of this basin.*

38. *Streams in the basin with little or no regulation cannot provide the desirable base flows for fish life recommended by the fisheries agencies.*

39. *Pollution abatement is a major problem in some areas.*

40. *Contamination of ground water supplies is a problem in some areas.*

41. *Industrial, commercial, agricultural, and population growth will add to the existing pollution problems.*

42. *The growth of additional urban fringe areas with improperly developed water supply and sewerage facilities will result in continuing or expanding pollution problems.*

43. *Some of the smaller streams and sections of major streams are unfit for some recreation uses because of pollution.*

44. *Continuing control of pollution must be maintained in order to protect the quality of water.*

45. *Utilization of flows to minimize pollution should not be permitted if such use limits or conflicts with the multiple-purpose concept.*

46. *Drainage is a problem, particularly on lands subject to periodic flooding.*

47. *Erosion is a problem in the basin. Bank erosion, due to prolonged high water stages resulting from releases of impounded flood waters, is a significant type.*

48. *Additional flood control storage will aggravate the bank erosion problem by extending the period of high discharge.*

49. *Flood control is a matter of major concern in the basin.*

50. *Substantial accomplishments have been made in flood damage reduction by flood control storage reservoirs.*

51. *Additional projects have been authorized and others recommended to further reduce flood damage.*

52. *Developments of many types are encroaching on the flood plain increasing damage potential and hazard to life.*

53. *Flood damage reduction by storage will have to be supplemented in the foreseeable future by other types of physical works, flood plain zoning, and floodproofing to provide the most economic solution to the remaining flood problem.*

54. *Major augmentation of the water resources in periods of need must come through storage of surplus runoff.*

55. *It is imperative that single-purpose development of available storage sites does not preclude full utilization of the resource.*

56. *Criteria for determination of desirable base flows commensurate with all beneficial uses of water have not been developed.*

57. *The results of the Upper Willamette River Basin study do not show any need for change or modification in the program adopted by the State Water Resources Board for the Upper McKenzie River, April 3, 1964.*

58. *Physical features, degree of economic development, and water-use requirements vary from subbasin to subbasin.*

NOW THEREFORE BE IT RESOLVED that for the reason of variance in physical features, degree of economic development, and water-use requirements from subbasin to subbasin, the board adopts the following findings and issues program statements for each of the subbasins of the Upper Willamette River Basin.

WILLAMETTE COAST FORK

WHEREAS the State Water Resources Board under the authority of ORS 536.300 has undertaken a study of the Willamette Coast Fork Basin as delineated on State Water Resources Board Map, File No. 2A.7014;

WHEREAS in this study consideration was given to means and methods of augmenting, conserving, and classifying such water resources, existing and contemplated needs and uses of water for domestic, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses, and for pollution abatement as well as other related subjects including drainage, reclamation, and flood control; and

WHEREAS as a result of said study the following findings have been reached by this board:

1. *The total quantity of water is sufficient on an average year basis to satisfy all existing and contemplated needs and uses of water with the exception of utilization of water to minimize pollution.*

2. *There is enough water on a critical year basis to meet existing and contemplated consumptive needs.*

3. *Maldistribution exists with regard to physical location and with respect to availability during time of need.*

4. *Ground water occurs in varying quantities throughout the basin.*

5. *The storage capacity or recharge rate of ground water aquifers has not been established.*

6. *Ground water is the major source for domestic needs.*

7. *Ground water supply is generally adequate for existing domestic and irrigation rights.*

8. *There is need to insure water for domestic, livestock, municipal, and wildlife uses which, while small, are of benefit to the state.*

9. *Potential exists for substantial expansion of irrigated lands.*

10. *Little potential exists for at-site power development.*

11. *Potential for expanded industrial use of water within this basin does not appear large.*

12. *Potential exists for expansion of mining uses but development is not expected to be great in the foreseeable future.*

13. *The basin has potential for expanded recreation use of water.*

14. *Improvement of water quality could enhance recreation potential, particularly on the main stem.*

15. *Full development of the fishery potential of the basin cannot be achieved without the improvement of low flow conditions.*

16. *The minimum perennial streamflows that can be established on the basis of existing rights and priorities are substantially lower on some streams than the flows recommended by the fisheries interests.*

17. *Desirable base flows for fish life cannot be realized unless additional water can be made available from storage.*

18. *Maintenance of minimum perennial streamflows would be in the public interest.*

19. *Utilization of flows to minimize pollution should not be permitted if such use limits or conflicts with the multiple-purpose concept.*

20. *Drainage problems exist but are not present or contemplated significant factors in water use.*

21. *Existing flood control reservoirs have materially reduced flood damages in the basin.*

22. *There are physically feasible storage sites in the basin. Certain storage sites are essential to the control of floods.*

23. *Development of additional storage, channel improvement, and land use regulations would reduce flood hazards.*

24. *Storage to the extent of complete elimination of flood damage is not economically feasible.*

25. *Certain river sections and numerous minor streams, creeks, and lakes are by nature of their physiography, location, land ownership, or economic potential available only for limited resource needs.*

26. *Establishment of restrictions on further appropriations on some streams would prevent an increase in depletion potential and aid in maintaining minimum flows.*

27. *The maximum beneficial uses of the waters of the Willamette Coast Fork Basin will be for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses.*

NOW THEREFORE BE IT RESOLVED that this board hereby adopts the following program in accordance with ORS 536.300 (2) pertaining to the water resources of the Willamette Coast Fork Basin:

A. *The maximum economic development of this state, the attainment of the highest and best use of the waters of the Willamette Coast Fork Basin, and the attainment of an integrated and coordinated program for the*

benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses and the waters of the Willamette Coast Fork Basin are hereby so classified with the following exception:

The maximum economic development of this state, the attainment of the highest and best use of the waters of the Layng Creek Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation of lawn or non-commercial garden not to exceed one-half acre in area, power development not to exceed 7½ theoretical horsepower, recreation, wildlife, and fish life uses and the waters of Layng Creek Basin are hereby so classified. Diversions of the waters of Layng Creek and tributaries from the Layng Creek Basin shall be permitted for municipal use only.

B. For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, and of attaining the highest and best use of waters released from storage, no appropriations of water except for domestic or livestock uses or waters to be legally stored or legally released from storage, shall be made or granted by any state agency or public corporation of the state for the waters of:

1. The Willamette Coast Fork or its tributaries above the Willamette Coast Fork - Row River confluence for natural flows of the Willamette Coast Fork below 15 cubic feet per second, plus waters released from storage of up to 100 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.

2. Row River or its tributaries above the Row River - Willamette Coast Fork confluence for natural flows of the Row River below 40 cubic feet per second, plus waters released from storage of up to 150 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.

3. The Willamette Coast Fork or its tributaries above the Willamette Coast Fork - Willamette Middle Fork confluence for natural flows of the Willamette Coast Fork below 40 cubic feet per second, plus waters released from storage of up to 250 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.

C. *Applications for the use of the waters of the Willamette Coast Fork Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.*

D. *Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses.*

E. *Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.*

WILLAMETTE MIDDLE FORK

WHEREAS the State Water Resources Board under the authority of ORS 536.300 has undertaken a study of the Willamette Middle Fork Basin as delineated on State Water Resources Board Map, File No. 2A.7014;

WHEREAS in this study consideration was given to means and methods of augmenting, conserving, and classifying such water resources, existing, and contemplated needs and uses of water for domestic, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses, and for pollution abatement as well as other related subjects including drainage, reclamation, and flood control; and

WHEREAS as a result of said study the following findings have been reached by this board:

1. *The total quantity of water is sufficient on an average year basis to satisfy all existing and contemplated needs and uses of water with the exception of utilization of water to minimize pollution.*

2. *There is enough water on a critical year basis to meet existing and contemplated consumptive needs and minimum nonconsumptive public uses.*

3. *Many streams in the basin do not provide enough flow for nonconsumptive public uses at present in periods of relatively low as well as critical flow.*

4. *Flows, unless augmented by storage, would not be sufficient on many streams during the summer months of critically low flow years to supply future consumptive and nonconsumptive demands.*

5. *Maldistribution exists with regard to physical location and with respect to availability during time of need.*

6. *Ground water occurs in varying quantities throughout the basin. It is concentrated in economic quantities only in alluvial deposits in the valley lowlands.*

7. *The storage capacity or recharge rate of ground water aquifers has not been established.*

8. *Ground water supplies are adequate for existing rights.*

9. *There is need to insure water for domestic, livestock, municipal, and wildlife uses which, while small, are of benefit to the state.*

10. *Extensive expansion of irrigation is not expected in this basin. The net irrigable area will undoubtedly be reduced by lands utilized for roads, urban areas, and industry.*

11. *There is potential for additional power development within the basin. Economic justification is not expected within the foreseeable future.*

12. *There is potential for expanded industrial use of water within this basin.*

13. *Mining will not be a significant factor in water utilization in the foreseeable future.*

14. *Recreation use of the waters of the basin has been increasing and greater water-based recreation use can be expected in the future.*

15. *The natural lakes of the Willamette Middle Fork Basin have a high recreation potential.*

16. *Anadromous fishery potential is limited by Dexter Dam to the lower Willamette Middle Fork and the Fall Creek system.*

17. *Utilization of flows to minimize pollution should not be permitted if such use limits or conflicts with the multiple-purpose concept.*

18. *Drainage and reclamation of drained lands are not present and contemplated significant factors in water use.*

19. *Bank erosion resulting from near bankfull reservoir releases is a major problem.*

20. *Reservoirs completed, under construction, and authorized will control effectively all historical floods in the Willamette Middle Fork Basin.*

21. *Maintenance of minimum perennial streamflows would be in the public interest.*

22. *Establishment of restrictions on further appropriations on some streams would prevent an increase in depletion potential and aid in maintaining minimum flows.*

23. *Certain river sections and numerous minor streams, creeks, and lakes are by nature of their physiography, location, land ownership, or economic potential available only for limited resource needs.*

24. *Maximum beneficial uses of the waters of the Willamette Middle Fork Basin will be for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses.*

NOW THEREFORE BE IT RESOLVED that this board hereby adopts the following program in accordance with ORS 536.300 (2) pertaining to the water resources of the Willamette Middle Fork Basin:

A. *The maximum economic development of this state, the attainment of the highest and best use of the waters of the Willamette Middle Fork Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses and the waters of the Willamette Middle Fork Basin are hereby so classified with the following exceptions:*

1. *The maximum economic development of this state, the attainment of the highest and best use of the waters of all natural lakes of the Willamette Middle Fork Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawns or noncommercial garden not to exceed one-half acre in area, recreation,*

wildlife, and fish life uses and the waters of all natural lakes of the Willamette Middle Fork Basin are hereby so classified.

2. The maximum economic development of this state, the attainment of the highest and best uses of the waters of Salt Creek, Salmon Creek, and their tributaries; and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7½ theoretical horsepower, recreation, wildlife, and fish life uses and the waters of Salt Creek, Salmon Creek, and their tributaries are hereby so classified.

B. For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, and of attaining the highest and best use of waters released from storage, no appropriations of water except for domestic or livestock uses or waters to be legally stored or legally released from storage shall be made or granted by any state agency or public corporation of the state for the waters of:

1. The Willamette Middle Fork or its tributaries above the Willamette Middle Fork - North Fork of the Willamette Middle Fork confluence for natural flows of the Willamette Middle Fork below 285 cubic feet per second, plus waters released from storage of up to 690 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.

2. The North Fork of the Willamette Middle Fork or its tributaries above the North Fork of the Willamette Middle Fork - Willamette Middle Fork confluence for flows of the North Fork below 115 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.

3. Fall Creek or its tributaries above the Fall Creek - Willamette Middle Fork confluence for natural flows of Fall Creek below 40 cubic feet per second, plus waters released from storage of up to 470 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.

4. The Willamette Middle Fork or its tributaries above the Willamette Middle Fork - Willamette Coast Fork confluence for natural flows of the Willamette Middle Fork below 640 cubic feet per second, plus waters released from storage of up to 1,475 cubic feet per second

measured at a point between said confluence and 1.0 miles above said confluence.

C. *Applications for the use of the waters of the Willamette Middle Fork Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.*

D. *Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses.*

E. *Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.*

WILLAMETTE-McKENZIE RIVER

WHEREAS the State Water Resources Board under the authority of ORS 536.300 has undertaken a study of the Willamette-McKenzie River Basin as delineated on State Water Resources Board Map, File No. 2A.7014;

WHEREAS in this study consideration was given to means and methods of augmenting, conserving, and classifying such water resources, existing and contemplated needs and uses of water for domestic, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses, and for pollution abatement as well as other related subjects including drainage, reclamation, and flood control; and

WHEREAS as a result of said study the following findings have been reached by this board:

1. *The total quantity of water is sufficient on an average year basis to satisfy all existing and contemplated needs and uses of water with the exception of utilization of water to minimize pollution.*

2. *Several streams in the basin do not provide enough water for consumptive requirements during low flow periods or seasonal shortage.*

3. *Maldistribution exists with regard to physical location and with respect to availability during time of need.*

4. *Ground water occurs in varying quantities throughout the basin but the quantitative amounts available for development have not been determined.*

5. *Ground water supply is generally adequate for existing domestic, municipal, and irrigation rights.*

6. *There is need to insure water for domestic, livestock, and wildlife uses which, while small, are of benefit to the state.*

7. *Municipal requirements represent a significant factor in water utilization of the basin.*

8. *Water supplies are adequate to meet municipal needs in the foreseeable future.*

9. *Unused surface water rights for out-of-basin irrigation represent a material depletion potential of the waters of the basin.*

10. *Irrigable land along the lower McKenzie River is being withdrawn from agriculture at a rapid rate.*

11. *Irrigation water demands will not exceed existing supplies.*

12. *Natural streamflow of the Mohawk River and Camp Creek is inadequate to support an increase in irrigation.*

13. *There are physically feasible storage sites existing on the Mohawk River and Camp Creek which could be utilized to irrigate additional lands.*

14. *There is substantial power potential within the basin.*

15. *Potential power development would cause conflicts with recreation and fish life uses.*

16. *The State Water Resources Board Program, April 3, 1964, precludes utilization of the waters of the McKenzie River above Middle Falls for power purposes.*

17. *There is substantial potential for industrial development in the basin, particularly in the wood products and food processing industries.*

18. *Water supplies for these relatively major water-using industries are considered adequate.*

19. *There are no existing water rights for mining operations in the basin. Potential for such use of water appears to be minor.*

20. *Water-based recreation is a major use of water and an important factor in the economy of the basin.*

21. *The basin has potential for expanded recreation use of water.*

22. *The McKenzie River is superior as a natural recreation attraction.*

23. *There are potential water uses on the McKenzie main stem that could have substantial adverse impact on recreation values.*

24. *Recreation use in the basin is increasing. Greater use can be expected in the future.*

25. *The McKenzie River system supports an extensive trout population and is a major spawning area for spring chinook in the Willamette River system.*

26. *Game fish are important to recreation use in the basin and problems affecting fish life have a direct bearing on recreation use, existing and potential.*

27. *Development of the fishery potential of the Mohawk River requires improvement of water supply and quality.*

28. *Attainment of flows recommended by the fisheries interests will be achieved only through storage.*

29. *Maintenance of minimum perennial streamflows would be in the public interest.*

30. *Utilization of flows to minimize pollution should not be permitted if such uses limits or conflicts with the multiple-purpose concept.*

31. *Drainage problems occur in almost all agricultural areas.*

32. *The basin experiences major flood damage.*

33. *Flood damage reduction by storage will have to be supplemented in*

the foreseeable future by other types of physical works, flood plain zoning, and floodproofing to provide the most economic solutions to the remaining flood problem.

34. *There are physically feasible storage sites within the basin.*

35. *Construction of flood control and power reservoirs could provide opportunities for reservoir-type recreation.*

36. *Certain river sections and numerous minor streams, creeks, and lakes are by nature of their physiography, location, land ownership, or economic potential available only for limited resource needs.*

37. *Establishment of restrictions on further appropriations on some streams would prevent an increase in depletion potential and aid in maintaining minimum flows.*

38. *The results of the Upper Willamette Basin study do not show any need for change or modification of the program adopted by the State Water Resources Board for the Upper McKenzie River, April 3, 1964.*

39. *The maximum beneficial use of the waters of the Willamette-McKenzie River Basin will be for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses.*

NOW THEREFORE BE IT RESOLVED that this board hereby adopts the following program in accordance with ORS 536.300 (2) pertaining to the water resources of the Willamette-McKenzie River Basin:

A. *The maximum economic development of this state, the attainment of the highest and best use of the waters of the Willamette-McKenzie River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses and the waters of the Willamette-McKenzie River Basin are hereby so classified with the following exceptions:*

   1. *The McKenzie drainage above the Linn-Lane County line is covered by the Upper McKenzie River Basin program, April 3, 1964, and is hereby adopted as a part of the Upper Willamette Basin program.*

2. *The maximum economic development of this state, the attainment of the highest and best use of the waters of all natural lakes of the Willamette-McKenzie River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, recreation, wildlife, and fish life uses and the waters of all natural lakes of the Willamette-McKenzie River are hereby so classified.*

3. *The power potential of the South Fork McKenzie River, from near its confluence with the McKenzie River upstream to Cougar Dam, should be utilized.*

4. *The maximum economic development of this state, the attainment of the highest and best use of the waters of the McKenzie River and tributaries above Leaburg Dam, with the aforementioned exceptions, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, recreation, wildlife, and fish life uses and the waters of the McKenzie River and tributaries above Leaburg Dam are hereby so classified.*

B. *For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life, and of attaining the highest and best use of waters released from storage no appropriations of water except for domestic or livestock uses or waters to be legally stored or legally released from storage shall be made or granted by any state agency or public corporation of the state for the waters of:*

1. *The South Fork McKenzie River or its tributaries above the South Fork McKenzie River - McKenzie River confluence for natural flows of the South Fork McKenzie River below 200 cubic feet per second, plus waters released from storage of up to 230 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.*

2. *Blue River or its tributaries above the Blue River - McKenzie River confluence for natural flows of Blue River below 30 cubic feet per second, plus waters released from storage of up to 350 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.*

3. *The McKenzie River or its tributaries above U.S.G.S. - State Engineer Gage No. 14-1625 (NE¼ Section 5, Township 17 S., Range 3 E.) near Vida, Oregon for natural flows of the McKenzie River below 1,400 cubic feet per second plus waters released from storage of up to 580 cubic feet per second measured at the aforementioned gage.*

4. *Gate Creek or its tributaries above the Gate Creek - McKenzie River confluence for flows of Gate Creek below 20 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.*

5. *Mohawk River or its tributaries above the Mohawk River - McKenzie River confluence for flows of the Mohawk River below 20 cubic feet per second measured at a point between said confluence and 1.0 miles above said confluence.*

6. *The McKenzie River or its tributaries above the intersection of the McKenzie River and Interstate Highway 5 for natural flows of the McKenzie River below 1,025 cubic feet per second, plus waters released from storage of up to 700 cubic feet per second, measured at the intersection of the McKenzie River and Interstate Highway 5.*

C. *Applications for the use of the waters of the Willamette-McKenzie River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.*

D. *Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses.*

E. *Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.*

WILLAMETTE RIVER MAIN STEM

AND

LONG TOM RIVER

WHEREAS the State Water Resources Board under the authority of ORS 536.300 has undertaken a study of the Willamette River Main Stem and Long Tom River as delineated on State Water Resources Board Map, File No. 2A.7014;

WHEREAS in this study consideration was given to means and methods of augmenting, conserving, and classifying such water resources, existing and contemplated needs and uses of water for domestic, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses, and for pollution abatement as well as other related subjects including drainage, reclamation, and flood control; and

WHEREAS as a result of said study the following findings have been reached by this board:

1. *The total quantity of water is sufficient on an average year basis to satisfy all existing and contemplated needs and uses of water with the exception of utilization of water to minimize pollution.*

2. *Any significant expansion of consumptive use will intensify shortages during low flow periods of the summer months.*

3. *Flows, unless augmented by storage, will not be sufficient on most streams during the summer months of low flow years to supply future consumptive and nonconsumptive demands.*

4. *Maldistribution exists with regard to physical location and with respect to availability during time of need.*

5. *Ground water occurs in varying quantities throughout the basin. It is concentrated in economic quantities only in alluvial deposits in the valley lowlands.*

6. *Ground water supplies are inadequate in some areas to satisfy existing rights.*

7. *Ground water supplies a major portion of domestic water utilized in the basin.*

8. *Major municipal water supplies are obtained from sources outside this basin.*

9. *Existing sources of municipal water for cities obtaining water supplies in the basin appear to be adequate.*

10. *There is need to insure water for domestic, livestock, and municipal uses which, while small, are of benefit to the state.*

11. *Irrigation is an authorized use of water stored in Fern Ridge Reservoir.*

12. *Adequately irrigated agricultural lands represent only a small percentage of the total potentially irrigable area.*

13. *Storage of winter runoff from additional reservoirs, releases from constructed, under construction, authorized, and recommended reservoirs; and ground water could provide sufficient quantities to satisfy future irrigation needs.*

14. *There is no power potential in the basin.*

15. *Industrial use will be a major factor in the economy of the basin.*

16. *There are no water rights for mining purposes. No significant use is anticipated in the foreseeable future.*

17. *Recreation is a significant use of water.*

18. *Major recreation use of water occurs at Fern Ridge Reservoir.*

19. *Recreation, which is not an authorized use of Fern Ridge Reservoir, is subject to the ultimate requirements of the authorized purposes.*

20. *Releases from upstream storage to replace waters withdrawn from Fern Ridge Reservoir for authorized purposes could materially assist in maintaining recreation values.*

21. *Water consumption by wildlife does not represent a significant quantity.*

22. *Maintenance of minimum perennial streamflows would be in the public interest.*

23. *Material improvement in minimum low flows cannot be achieved without the development of storage.*

24. *Attainment of flows recommended by the fisheries interests will be achieved only through storage.*

25. *Pollution will continue to be a major problem.*

26. *Increases of population and the need to serve presently unsewered areas, will require municipal sewerage works to be expanded.*

27. *Utilization of flows to minimize pollution should not be permitted if such use limits or conflicts with the multiple-purpose concept.*

28. *Drainage of agricultural and suburban lands is a major problem in the basin.*

29. *There are flood problems in the basin.*

30. *Existing flood control reservoirs have materially reduced flood damages.*

31. *There are physically feasible storage sites in the basin.*

32. *Certain river sections and numerous minor streams and creeks are by nature of their physiography, location, land ownership, or economic potential available only for limited resource needs.*

33. *Establishment of restrictions on further appropriations on some streams would prevent an increase in depletion potential and aid in maintaining minimums where streams are not now appropriated beyond their natural capacity at critical points.*

34. *The maximum beneficial use of the waters of the Willamette River Main Stem - Long Tom River Basin will be for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses.*

NOW THEREFORE BE IT RESOLVED that this board hereby adopts the following program in accordance with ORS 536.300 (2) pertaining to the water resources of the Willamette River Main Stem - Long Tom River Basin:

A. *The maximum economic development of this state, the attainment of the highest and best use of the waters of the Willamette River Main Stem - Long Tom River Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development not to exceed 7½ theoretical horsepower, industrial, mining, recreation, wildlife, and fish life uses and the waters of the Willamette River Main Stem - Long Tom River Basin*

are hereby so classified with the following exception:

No application for appropriation of water shall be accepted or issued by any state agency except appropriations for domestic or livestock use or appropriations for beneficial use involving water legally stored in excess of or that necessary for existing rights, of the waters of Coyote and Spencer Creeks.

B. For the purpose of obtaining the highest and best use of waters released from storage, no appropriations of water except for domestic or livestock uses shall be made or granted by any state agency or public corporation of the state from the Long Tom River above U. S. G. S. Gage No. 14-1700 (NE¼ Section 33, Township 14 S., Range 5 W.) at Monroe, Oregon for waters released from storage of up to 370 cubic feet per second measured at the aforementioned gage.

C. Applications for the use of the waters of the Willamette River Main Stem - Long Tom River Basin shall not be accepted by any state agency for any other use and the granting of applications for such other uses is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated and coordinated program for the use and control of the water resources of the state.

D. Rights to use of water for industrial or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses.

E. Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with the applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

Done and dated this 22nd day of June 1964.

STATE WATER RESOURCES BOARD

By Donel J. Lane

Donel J. Lane, Secretary

SWRB
6-22-64

The State Water Resources Board on November 2, 1966, approved an exception to the upper Willamette Basin to permit utilization of 1.29 cubic feet per second of the waters of Puddin Rock Creek, tributary of Row River, for power purposes.

The State Water Resources Board on June 26, 1967, approved an exception to the upper Willamette Basin program to permit issuance of a hydroelectric license of not to exceed 48 cubic feet per second from the McKenzie River as applied for by John H. Bigelow, provided it does not interfere with other beneficial uses of water.