

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

Water Rights Application
Number R-87871

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- any applicable basin program
- applicable Oregon Revised Statutes (ORS), Oregon Administrative Rules (OAR), and case law
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- any applicable comprehensive plan or zoning ordinance
- recommendations by other state agencies
- the Scenic Waterway requirements of ORS 390.835
- any comments received

Findings of Fact

On February 21, 2013, East Valley Water District submitted an application to the Department for the following water use permit:

- Amount of Water: 12,000 acre feet (AF)
- Use of Water: storage for irrigation and flow augmentation
- Appropriation season: October 1 through April 30
- Source of Water: unnamed streams, tributaries of Drift Creek, and Drift Creek, tributary of Pudding River
- Area of Proposed Use: Marion County within Section 31, Township 7 South, Range 1 East, W.M.; Section 36, Township 7 South, Range 1 West, W.M.; Section 6, Township 8 South, Range 1 East, W.M.; Section 1, Township 8 South, Range 1 West, W.M.

On October 18, 2013, the Department mailed the applicant notice of its Initial Review, determining that "*The storage of 12,000 AF of water from unnamed streams, tributaries of Drift Creek, and Drift Creek, tributary of Pudding River for irrigation and flow augmentation may be allowed November 1 through April 30, contingent upon the submission of the additional required information.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On October 22, 2013, 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.

Within 30 days of the Department's public notice, written comments were received from Steven Lierman, Lucas J. Rue, Jesse Rue, Joel D. Rue, and Cliff McGuffin, all of whom oppose approval of the application. The comments generally raised concerns about East Valley Water District's eminent domain rights, the taking of privately-owned land, impacts to ecosystems, potential failure of the dam, the funding of the project, and the lack of information available about the project, including any future conveyance of water for out-of-reservoir uses.

The Department acknowledges receipt of the public comments and has considered them. The comments that are applicable to the Department's review of an application for a permit to store water have been addressed through conditions contained in this document; the comments not addressed are outside the scope of this review.

On November 12, 2013, the applicant submitted a copy of the legal description of the property from which the water is to be diverted and the property upon which the water is to be stored, as requested in the Initial Review.

On February 12, 2014, the Department received a letter from the applicant in response to Joel D. Rue's comments.

The Willamette Basin Program allows storage for irrigation and flow augmentation from November 1 through June 30.

An assessment of water availability has been completed. This assessment compared a calculation of natural streamflow minus the consumptive portion of all relevant rights of record. A copy of this calculation is in the file. This calculation determined that water is available for further appropriation (at a 50 percent exceedance probability) November 1 through June 30.

Water may be appropriated for storage when the season requested, the season defined in the basin program, and the period when water is available coincide. Therefore, water may be appropriated for storage November 1 through April 30.

The proposed use will not injure other water rights.

The Department finds that the amount of water requested, 12,000 AF, is an acceptable amount.

In accordance with OAR 690-033-0330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and

endangered fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality (DEQ), Fish and Wildlife (ODFW), and Agriculture. WRD and ODFW representatives included both technical and field staff. The interagency team recommended that additional limitations or conditions of use be imposed on this application as follows:

The local watermaster, (WRD), did not recommend any additional conditions beyond those included in the Initial Review.

As a preferred alternative, DEQ recommended the applicant assess off-channel construction opportunities.

ODFW prefers that upstream and downstream fish passage be provided at the reservoir site, but state law does allow for other options to address fish passage.

Water may be appropriated for storage November 1 through April 30.

The permittee shall pass all live flow during May 1 through October 31.

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.

Fish passage condition: Prior to commencing construction, the permittee shall address Oregon's fish-passage laws with the assistance of ODFW, and shall provide ODFW-approved fish passage or obtain a fish-passage waiver. If the permittee obtains a fish-passage waiver from the Oregon Department of Fish and Wildlife Commission, a copy of the waiver shall be provided to the local watermaster's office as soon as practicable after receiving the approval. The permittee may submit evidence in writing that ODFW has determined that fish passage is not necessary.

Riparian condition: Prior to commencing construction, the permittee shall conduct an assessment of the riparian area disturbed or inundated by the reservoir in coordination with Oregon Department of Fish and Wildlife (ODFW), and shall develop a mitigation plan to restore or enhance riparian habitat function according to ODFW's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415), and shall obtain written approval from ODFW that the mitigation plan is acceptable. A copy of the mitigation plan shall be provided to the local watermaster's office as soon as practicable after receiving the approval. The riparian mitigation plan may be separate from any other mitigation plan for wetland and waterway impacts required by ODFW.

Water quality condition: The reservoir shall not impact water quality of the source streams or downstream waters detrimentally to the point that those waters no longer meet existing state or federal water-quality standards due to reduced flows. The permittee shall ensure that the operation of the reservoir meets water-quality requirements year-round to minimize impacts to aquatic species.

Endangered Species Act (ESA) mitigation condition: Prior to commencing construction or disturbance of the site, the permittee shall coordinate with ODFW to determine the Habitat Category within the reaches of the streams impacted by the project and shall develop a mitigation plan to offset impact to sensitive, threatened or endangered (STE) fish species according to ODFW's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415), and shall obtain written approval from ODFW that the mitigation plan is acceptable. A copy of the STE mitigation plan shall be provided to the local watermaster's office as soon as practicable after receiving the approval.

Wetlands mitigation condition: Prior to commencing construction or disturbance of the site, the permittee shall coordinate with ODFW and Oregon Department of State Lands (ODSL) to fully assess results of a wetland delineation and the impacts to the habitat of fish species listed under the Endangered Species Act from loss of wetlands associated with the development of the project. Wetland mitigation shall be coordinated with other mitigation proposals for wetland and waterway impacts. A copy of ODFW's and ODSL's written approval shall be provided to the local watermaster's office as soon as practicable after receiving the approval.

Fish screening and by-pass condition: If the reservoir is constructed off-channel, prior to the diversion of water, the permittee shall install fish screening and by-pass devices consistent with current ODFW standards, and shall obtain written approval from ODFW that the fish screening and by-pass devices are acceptable. A copy of ODFW's written approval shall be provided to the local watermaster's office as soon as practicable after receiving the approval. The fish screening and by-pass devices shall be operated and maintained consistent with ODFW standards. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

The safety of the dam and impoundment will be assessed and addressed by the Department's Dam Safety Engineer. Consistent with ORS 537.248(1), if a permit is issued, the permit holder may not begin construction of the reservoir until the Department approves the engineering plans and specifications.

Consistent with ORS 537.400(5), if a permit is issued, the permit holder may not fill the reservoir until evidence has been submitted to the Department demonstrating that the permit holder owns, or has written authorization or an easement permitting access to, all lands to be inundated by the reservoir.

Senior water rights exist on unnamed streams, tributaries of Drift Creek, and Drift Creek, tributary of Pudding River, or on downstream waters.

Unnamed streams, tributaries of Drift Creek, and Drift Creek, tributary of Pudding River, are not within or above a State Scenic Waterway.

The application is in compliance with the State Agency Coordination Program regarding land use.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

Under the provisions of ORS 537.153 and OAR 690-310-0110, the Department must presume that a proposed use will not impair or be detrimental to the public interest if 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), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission. The public interest presumption has been established for Application R-87871.

When the presumption is established, OAR 690-310-0120(3)(a) requires the Department to further evaluate the proposed use, any comments received, information available in the Department's files or received from other interested agencies, and any other available information to determine whether the presumption is overcome. The factors in ORS 537.170(8), shown in bold below, have been considered as follows:

(a) Conserving the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.

The proposed use is storage for irrigation and flow augmentation, both of which are beneficial uses and allowed by the Willamette Basin Program.

If a permit is issued, it would be junior in priority to existing water rights, including instream uses. As a result, the proposed use of water would conserve water for other uses,

and allow the highest use of the water when it is available based on the relative priority of the water rights.

(b) The maximum economic development of the waters involved.

Irrigation use facilitates economic development of the local community, and is an important economic activity in the Willamette Valley.

(c) The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.

The proposed 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.

(d) The amount of waters available for appropriation for beneficial use.

Water is available for storage for the proposed uses November 1 through June 30.

(e) The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.

The draft permit is conditioned such that wasteful, uneconomic, impracticable or unreasonable use of the waters involved is prevented. The proposed use, as conditioned in the attached draft permit, will require conservation measures and reasonable use of the water. In addition, the attached draft permit requires the applicant to measure and report the volume of water stored.

(f) All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.

All vested water rights are protected by their respective priority dates, the prior appropriation system, and the Department's regulatory procedures.

(g) The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.534.

The proposed use is consistent with state water resources policy formulated under ORS 536.295 to 536.350, which govern classification of the waters in the state's basins. ORS 537.505 to 537.534 govern the appropriation of ground water and are not applicable to this application.

Conclusions of Law

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use will impair or be detrimental to the public interest.

The Department therefore concludes that the proposed use will not impair or be detrimental to the public interest as provided in ORS 537.170.

When issuing permits, ORS 537.211(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public interest. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED July 22, 2014



E. Timothy Wallin, Water Rights Program Manager
for Director, Oregon Water Resources Department

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this Proposed Final Order. Protests must be received in the Water Resources Department no later than **September 5, 2014**. Protests must be in writing, and must 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(2)(b) 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 public interest in ORS 537.170(8) that would be impaired or detrimentally affected, and specifically how the identified public interest in ORS 537.170(8) would be impaired or be detrimentally affected;
- If you are the applicant, the protest fee of \$350 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$700 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. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the Proposed Final Order.

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), 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 **September 5, 2014**. 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 \$200. If a hearing is scheduled, an additional fee of \$500 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 Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

This document was prepared by Jeana Eastman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0812.

If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

DRAFT

This is not a permit.

DRAFT

STATE OF OREGON

COUNTY OF MARION

DRAFT PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

EAST VALLEY WATER DISTRICT
PO BOX 1046
MOUNT ANGEL, OR 97362

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

APPLICATION FILE NUMBER: R-87871

SOURCE OF WATER: UNNAMED STREAMS, TRIBUTARIES OF DRIFT CREEK, AND DRIFT CREEK, TRIBUTARY OF PUDDING RIVER

STORAGE FACILITY: DRIFT CREEK RESERVOIR

PURPOSE OR USE OF THE STORED WATER: STORAGE FOR IRRIGATION AND FLOW AUGMENTATION

MAXIMUM VOLUME: 12,000 ACRE FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: FEBRUARY 21, 2013

DAM LOCATION: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 36, T7S, R1W, W.M.; 3990 FEET NORTH AND 355 FEET EAST FROM S1/4 CORNER, SECTION 36

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

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

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

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

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

SECTION 31

TOWNSHIP 7 SOUTH, RANGE 1 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$

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

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

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

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

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

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

SE ¼ SE ¼
SECTION 36
TOWNSHIP 7 SOUTH, RANGE 1 WEST, W.M.

NW ¼ NE ¼
SW ¼ NE ¼
NE ¼ NW ¼
NW ¼ NW ¼
SW ¼ NW ¼
SE ¼ NW ¼
NE ¼ SW ¼
NW ¼ SW ¼
NW ¼ SE ¼
SW ¼ SE ¼
SECTION 6

TOWNSHIP 8 SOUTH, RANGE 1 EAST, W.M.

NE ¼ NE ¼
SECTION 1

TOWNSHIP 8 SOUTH, RANGE 1 WEST, W.M.

Measurement devices, and recording/reporting of annual water storage conditions:

- A. Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. 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 stored each month, and shall submit a report which includes water-storage 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.

The permit holder may not begin construction of the reservoir until the Department approves the engineering plans and specifications.

The permit holder may not fill the reservoir until evidence has been submitted to the Department demonstrating that the permit holder owns, or has written authorization or an easement permitting access to, all lands to be inundated by the reservoir.

Fish passage condition:

Prior to commencing construction, the permittee shall address Oregon's fish-passage laws with the assistance of Oregon Department of Fish and Wildlife (ODFW), and shall provide ODFW-approved fish passage or obtain a fish-passage waiver. If the permittee obtains a fish-passage waiver from the Oregon Department of Fish and Wildlife Commission, a copy of the waiver shall be provided to the local watermaster's office as soon as practicable after receiving the approval. The permittee may submit evidence in writing that ODFW has determined that fish passage is not necessary.

Riparian condition:

Prior to commencing construction, the permittee shall conduct an assessment of the riparian area disturbed or inundated by the reservoir in coordination with ODFW, and shall develop a mitigation plan to restore or enhance riparian habitat function according to ODFW's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415), and shall obtain written approval from ODFW that the mitigation plan is acceptable. A copy of the mitigation plan shall be provided to the local watermaster's office as soon as practicable after receiving the approval. The riparian mitigation plan may be separate from any other mitigation plan for wetland and waterway impacts required by ODFW.

Water quality condition:

The reservoir shall not impact water quality of the source streams or downstream waters detrimentally to the point that those waters no longer meet existing state or federal water-quality standards due to reduced flows. The permittee shall ensure that the operation of the reservoir meets water-quality requirements year-round to minimize impacts to aquatic species.

Endangered Species Act (ESA) mitigation condition:

Prior to commencing construction or disturbance of the site, the permittee shall coordinate with ODFW to determine the Habitat Category within the reaches of the streams impacted by the project and shall develop a mitigation plan to offset impact to sensitive, threatened or endangered (STE) fish species according to ODFW's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415), and shall obtain written approval from ODFW that the mitigation plan is acceptable. A copy of the STE mitigation plan shall be provided to the local watermaster's office as soon as practicable after receiving the approval.

Wetlands mitigation condition:

Prior to commencing construction or disturbance of the site, the permittee shall coordinate with ODFW and Oregon Department of State Lands (ODSL) to fully assess results of a wetland delineation and the impacts to the habitat of fish species listed under the Endangered Species Act from loss of wetlands associated with the development of the project. Wetland mitigation shall be coordinated with other mitigation proposals for wetland and waterway impacts. A copy of ODFW's and ODSL's written approval shall be provided to the local watermaster's office as soon as practicable after receiving the approval.

Fish screening and by-pass condition: If the reservoir is constructed off-channel, prior to the diversion of water, the permittee shall install fish screening and by-pass devices consistent with current ODFW standards, and shall obtain written approval from ODFW that the fish screening and by-pass devices are acceptable. A copy of ODFW's written approval shall be provided to the local watermaster's office as soon as practicable after receiving the approval. The fish screening and by-pass devices shall be operated and maintained consistent with ODFW standards. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

The storage of water allowed herein is subject to the installation and maintenance of an outlet conduit that will permit drainage of the reservoir in a safe and timely manner, and for passage of flow to downstream senior water rights. The dimensions of the outlet must be approved by the Department as part of the final dam plans and specifications.

This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

The permittee shall pass all live flow during May 1 through October 31.

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.

The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

DAM CONDITIONS

Conditions may be added upon approval of dam designs and specifications.

STANDARD CONDITIONS

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.

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.

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.

Construction shall be completed and the permitted volume of water shall be stored within ten years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after storage of water, 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

E. Timothy Wallin, Water Rights Program Manager
for Director, Oregon Water Resources Department

Mailing List for PFO Copies

Application #R-87871

PFO Date: July 22, 2014

Original mailed to applicant:

EAST VALLEY WATER DISTRICT, PO BOX 1046, MOUNT ANGEL, OR 97362

SENT VIA EMAIL:

WRD - Watermaster # 16

Copies Mailed By: _____ (SUPPORT STAFF) on: _____ (DATE)
--

Protest/ Standing Dates checked _____
--

Copies sent to:

1. WRD - File # R-87871
2. Water Availability: Shawn Turner

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

1. KATHLEEN E JAQUET & CHERI PERRY-HARBOUR, PO BOX 533, HOBART WA 98025
2. KATHLEEN E JAQUET, ET AL, PO BOX 44, MOCLIPS WA 98562
3. ROBERT B QUALEY, 15256 FOX RD SE, SILVERTON OR 97381
4. NORBERT V AND GAIL K DOMINICK, 1116 VICTOR POINT RD SE, SILVERTON 97381
5. JOEL D & DONNA L RUE, 1316 VICTOR POINT RD SE, SILVERTON OR 97381
6. BRUCE P JAQUET, 14752 DOERFLER RD SE, SILVERTON OR 97381
7. FOX LAND CO LLC, 16364 FOX RD SE, SILVERTON OR 97381
8. TODD F PETERS, 4742 LIBERTY RD #173, SALEM OR 97302
9. FLOYD T FOX JR., 16364 FOX RD SE, SILVERTON OR 97381
10. FRERES TIMBER INC, PO BOX 276, LYONS OR 97358
11. ROBERT LIERMAN, STEVEN LIERMAN, 1985 VICTOR POINT RD S, SILVERTON OR 97381
12. ADAM SUSSMAN, GSI WATER SOLUTIONS,
1600 SW WESTERN BLVD, STE 240, CORVALLIS OR 97333
13. KORY SLAYTON, 29885 EASY ST LN, HILLSBORO OR 97123
14. DUSTIN CZAPLA, 644 W PAGOSA DR, GRAND JUNCTION CO 81506
15. ZACH TAYLOR, 2538 DRIFT CR RD NE, SILVERTON OR 97381

16. RICHARD & MARY JO MOLES, 14823 RICHES RD SE, SILVERTON OR 97381
17. LUCAS J RUE, 1316 VICTOR POINT RD SE, SILVERTON OR 97381
18. JESSE RUE, 12320 STATE ST SALEM, OR 97317
19. CLIFF MCGUFFIN, 2100 ENDRESEN LN NE, SILVERTON OR 97381
20. JANET E NEUMAN, TONKON TORP LLP,
1600 PIONEER TOWER, 888 SW FIFTH AVE, PORTLAND OR 97204
21. ODFW, DANETTE FAUCERA, 4034 FAIRVIEW INDUSTRIAL DR SE, SALEM OR 97302
22. DEQ, NANCY GRAMLICH, 750 FRONT STREET NE, #120, SALEM OR 97301-1039

CASEWORKER : jme