

-----Original Message-----

From: Michael Mattick [<mailto:matticmj@ wrd.state.or.us>]

Sent: Friday, January 25, 2008 12:38 PM

To: COLVIN Terry R

Subject: RE: Inquiry about Millrace water rights

Hi Terry,

There are two water rights in the name of the State Board of Higher Education allowing the diversion of water from the Willamette River into the Millrace. One is for condenser cooling in the University heating plant and the other is for recreation.

The water right certificate numbers are 29374 and 29375.

You can access these certificates and their related maps from the agency web site:

www.wrd.state.or.us

To the left of center, under Water Rights Data Base, click on Look Up Water Rights; Then click on Water Rights Information Query; Then enter a certificate number and press Search; This will bring up a small spread sheet, press Select and a broader spread sheet will open; On the right under Documents, you can open and print an image of the certificate and the paper map.

Certificate 29374 allows the diversion of up to 13.2 cubic feet per second (cfs) for condenser cooling.

A review of the University's water use reporting data indicates they occasionally do use all of this water. Were they interested in relinquishing this right to the city, we would need to evaluate how much of the right is consumptively used and whether or not the city's proposed use could injure another water right. If the city's proposed use would not result in a net increase in the consumptive use of the 13.2 cfs, I expect there would be no harm in the Transfer and it would be allowed. If there were some increase in the consumptive use, the proposal would likely be denied. So, a critical question would be, how much of that cooling water is currently evaporated and lost to the system?; and how will the university get by without it?

The other right, certificate 29375, allows for the diversion of up to 36.8 cfs from the Willamette River for recreation, including swimming, boating and scenic enhancement. A review of the water use reporting data for this right is unclear, probably related to reporting or recording the wrong units of measure. I expect that the right is in good standing and it could be transferred to the city for another NON-CONSUMPTIVE use, with all of the caveats that currently appear on the certificate.

Please take a look at the certificates. I would be happy to evaluate specific options as your intentions become clearer.

Feel free to email or call,
MM

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