

## WATER RESOURCES DEPARTMENT

### DIVISION 518

#### MID-COAST BASIN PROGRAM

*[[NOTE: The Mid-Coast Basin is delineated on State Water Resources Board Map 18.6, dated 1964, available from the agency.]]*

**690-518-0010**

#### Classifications

(1) *[The maximum economic development of this state, the attainment or the highest and best use of the waters of the Mid-Coast 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]* **The waters of the Mid-Coast Basin are classified** *[only]* for domestic, livestock, municipal, irrigation, power development, industrial mining, **pollution abatement**, recreation, wildlife and fish life uses with preference given to human consumption and livestock consumption over any other beneficial uses~~]. The waters of the Mid-Coast Basin are hereby so classified~~ with the following exceptions:

(a) The waters of the following natural lakes of the Mid-Coast Basin are classified only for utilization of water for domestic, livestock, and in-lake uses for recreation, wildlife, and fish life purposes: Devils, Triangle, Lily, Sutton, Mercer, Collard, Munsel, Cleawox, Carter, Lost, Elbow, Clear, Woahink, Siltcoos, Tahkenitch, and Threemile;

(b) The waters of Clear Lake are classified for municipal use in addition to the uses specified in subsection (a) of this section;

**(c) 1.5 cfs of the water of Woahink Lake are classified for municipal purposes and 0.75 cfs for public park purposes.**

*[(c)]* **(d)** The waters of the following streams and their tributaries are classified only for utilization of water for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development and instream uses for recreation, wildlife, and fish life purposes:

Text in bold and underlined...**example**...is proposed new text to existing rule text.  
Italicized text in brackets...*[example]*...is existing rule text proposed to be removed.

(A) Schoolhouse Creek (Mouth in Township 8 South);

(B) Fogarty Creek;

(C) Deadhorse Creek;

(D) Canal Creek of Alsea Bay;

(E) Cummins Creek;

(F) Bob Creek;

(G) Tenmile Creek;

(H) Big Creek at Roosevelt Beach;

(I) Cape Creek at Heceta Head;

(J) Quarry Creek;

(K) Knowles Creek of Siuslaw River;

(L) Hadsall Creek of Siuslaw River;

(M) Woahink Creek;

(N) Siltcoos River;

(O) Tahkenitch Creek; and

(P) Threemile Creek.

[(d)] **(e)** The waters of the following streams and their tributaries are classified only for utilization of water for domestic, livestock, municipal, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development and instream uses for recreation, wildlife, and fish life purposes:

(A) Salmon River;

(B) Schooner Creek of Siletz Bay upstream from the intersection of Schooner Creek and the section line between Section 25, Township 7 South, Range 11 West, WM, and Section 30, Township 7 South, Range 10 West, WM;

(C) Drift Creek of Siletz Bay;

Text in bold and underlined...**example**...is proposed new text to existing rule text.  
Italicized text in brackets...[*example*]...is existing rule text proposed to be removed.

(D) Tributaries to Depoe Bay;

(E) Rocky Creek;

(F) Spencer Creek;

(G) Moolack Creek;

(H) Big Creek near Newport;

(I) Henderson Creek (Mouth in Township 11 South);

(J) Beaver Creek (Mouth in Township 12 South);

(K) Big Creek at San Marine;

(L) Vingie Creek;

(M) Starr Creek;

(N) Sutton Creek; and

(O) Munsel Creek

**(P) The waters of the following streams are classified for municipal purposes in the amounts specified:**

**(i) Alsea River below stream mile 25 5 cfs**

**(ii) Yachats River below stream mile 5 1 cfs**

[(e)] **(f)** The waters of Olalla Creek and its tributaries are classified for human consumption, livestock consumption, industrial, and instream uses for recreation, wildlife, and fish life purposes;

[(f)] **(g)** The waters of Schooner Creek and its tributaries downstream from the intersection of Schooner Creek and the section line between Section 25, Township 7 South, Range 11 West, WM, and Section 30, Township 7 South, Range 10 West, WM, are classified for domestic, livestock, municipal, irrigation and frost control not to exceed an additional total appropriation of 2.5 cfs, power development and instream uses for recreation, wildlife, and fish life purposes; and

[(g)] **(h)** The waters of Thiel Creek are classified for domestic, livestock, municipal, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development, aesthetics and in-lake and instream uses for recreation, fish life and wildlife purposes.

Text in bold and underlined...**example**...is proposed new text to existing rule text.  
Italicized text in brackets...[example]...is existing rule text proposed to be removed.

**(i) For the purpose of maintaining streamflow sufficient to support aquatic life, no appropriation of water except for the classified uses of human consumption, livestock consumption, and waters legally released from storage shall be allowed from the following streams unless water is available in excess of the amount necessary to meet the instream flow as described in instream water right certificates converted from minimum perennial streamflows in accordance with ORS 537.346:**

**(A) Salmon River System**

**(i) Salmon River from the confluence of the Little Salmon River to the mouth.**

**(ii) Slick Rock Creek**

**(ii) Bear Creek**

**(B) Drift Creek from the confluence of Gordy Creek to the mouth.**

**(C) Siletz River System**

**(i) Siletz River from the confluence of the South Fork Siletz to the mouth**

**(ii) South Fork Siletz**

**(iii) Gravel Creek**

**(iv) Mill Creek**

**(v) Rock Creek**

**(vi) Sam Creek**

**(vii) Euchre Creek**

**(viii) Cedar Creek**

**(ix) Bear Creek**

**(x) Schooner Creek from County Bridge 108B1 to the confluence with Siletz Bay**

**(D) Yaquina River System**

(i) Yaquina River from the confluence of the Bales Creek to the mouth

(ii ) Little Elk Creek

(ii) Simpson Creek

(iv) Elk Creek from the confluence of the Grant Creek to the mouth

(E) Alsea River System

(i) North Fork Alsea River

(ii) South Fork Alsea River

(iii) Bummer Creek

(iv) Alsea River from the confluence of the South Fork Alsea River to the mouth

(v) Fall Creek from the confluence of Carns Canyon Creek to the mouth

(vi) Green River

(vii) Five Rivers from the from the confluence of Lobster Creek to the mouth

(viii) Lobster Creek

(ix) Drift Creek from the confluence of Wheelock Creek to the mouth

(F) Yachats River System

(i) North Fork Yachats River

(ii) Yachats River from the the confluence of North Fork Yachats River to the mouth

(G) Ten Mile Creek

(H) Big Creek

(I) Cape Creek

**(J) Siuslaw River System**

**(i) Siuslaw River from the confluence with the North Fork Siuslaw River to Lake Creek**

**(ii) Edmund Creek**

**(iii) Wolf Creek**

**(iv) Whittaker Creek**

**(v) Wildcat Creek**

**(vi) Indian Creek (tributary to Lake Creek)**

**(vii) Fish Creek (tributary to Lake Creek)**

**(viii) Greenleaf Creek (tributary to Lake Creek)**

**(ix) Nelson Creek (tributary to Lake Creek)**

**(x) Deadwood Creek (tributary to Lake Creek)**

**(xi) Lake Creek from the confluence of Indian Creek to the Siuslaw River**

**(xii) South Fork Siuslaw River**

**(K) Siltcoos Lake Drainage**

**(i) Woahink Creek from the outlet of Woahink Lake to Siltcoos Lake**

**(ii) Maple Creek from the confluence of Jordan Creek to Siltcoos Lake**

**(iii) Fiddle Creek from the confluence of Alder Creek to Siltcoos Lake**

**(L) Tahkenitch Lake Drainage**

**(i) Fivemile Creek from the confluence of Perkins Creek to Tahkenitch Lake**

**(ii) Leitel Creek**

**(j) Little Creek tributary to the Pacific Ocean is classified for municipal use by the City of Newport consistent with the State Engineers withdrawal of Little Creek (dated 6/7/1960) for municipal use by the City of Newport.**

**(k) Mill Creek tributary to the Yaquina River is classified for municipal use by the City of Toledo consistent with the State Engineers withdrawal of Mill Creek (dated 12/7/1959) for municipal use by the City of Toledo.**

**(l) Rock Creek (Sec. 7 T 10 S, R 8 W W.M.) tributary to the Pacific Ocean No direct flow appears below the north line in SW ¼, NW ¼ Sec. 7 T 10 S, R 8 W W.M. during the months of July through September. No storage shall be allowed during July through September consistent with the State Engineer's withdrawal (dated 7/22/1960) of Rock Creek.**

(2) *[Applications for the use of the waters of the Mid-Coast Basin shall not be accepted by any state agency for any purposes contrary to the classifications herein specified, and the granting of applications for such other purposes is declared to be prejudicial to the public interest, and the granting of applications for such other uses would be contrary to this water use program.]* **Applications for the use of the waters of the Mid-Coast Basin shall not be approved for any use other than those specified in this rule.**

(3) Structures or works for 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, which do not give cognizance to the multiple-purpose concept are further declared to be prejudicial to the public interest.

Stat. Auth.: ORS 536 & [ORS 537](#)

Stats. Implemented:

Hist.: WRB 36, f. 7-27-66; WRB 59, f. 4-15-74; WRB 62, f. 3-26-75; WRD 4-1981, f. & cert. ef. 5-28-81; WRD 4-1984, f. & cert. ef. 10-30-84; WRD 5-1987, f. & cert. ef. 5-20-87; WRD 20-1990, f. & cert. ef. 12-14-90, Renumbered from 690-080-0180

**690-518-0020**

## **Reservations**

*[(1) In addition to the uses specified in subsection (1)(a) of OAR 690-518-0010, 1.5 cfs of the water of Woahink Lake are reserved for municipal purposes and 0.75 cfs for public park purposes.]*

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*(2) The waters of the following streams are reserved for municipal purposes in the amounts specified:*

*(a) Alsea River below stream mile 25 -- 5 cfs.*

*(b) Yachats River below stream mile 5 -- 1 cfs. ]*

[(3)] The waters of the following streams are reserved for multipurpose storage for future economic development as allowed under ORS 537.356 with a priority date of May 5, 2006:

(a) A reservation of 374 acre-feet of unappropriated water in Rock Creek, tributary to Devil's Lake,

(b) A reservation of 1,250 acre-feet of unappropriated water from Treat River, tributary to Salmon River,

(c) A reservation of 1,350 acre-feet of unappropriated water from an unnamed stream (locally referred to as "Side Creek"), tributary to Devil's Lake, for future application exclusively by the City of Lincoln City.

Stat. Auth.: ORS 536 & 537

Stats. Implemented: ORS 536.310, 537.249, 537.356 & 537.358

Hist: WRB 36, f. 7-27-66; WRB 59, f. 4-15-74; WRB 62, f. 3-26-75; WRD 4-1981, f. & cert. ef. 5-28-81; WRD 4-1984, f. & cert. ef. 10-30-84; WRD 5-1987, f. & cert. ef. 5-20-87; WRD 20-1990, f. & cert. ef. 12-14-90, Renumbered from 690-080-0180; WRD 1-2007, f. & cert. ef. 1-5-07

**[690-518-0030]**

### ***Minimum Perennial Streamflows***

*(1) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life and recreation, no appropriations of water except for reservations in OAR 690-518-0020, human consumption, livestock consumption, or waters legally released from storage shall be made or granted by any state agency or public corporation of the state for the waters of the following streams and their tributaries for flows below the amounts specified in **Table 1**.*

*(2)(a) To support aquatic life and minimize pollution, in accordance with Section 3, Chapter 796, Oregon Laws 1983, no appropriation of water shall be made or granted by any state agency or public corporation of the state for waters of the streams and*

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*tributaries listed in **Table 2** when flows are below the specified levels. This limitation shall not apply to:*

*(A) Human and livestock consumption; and*

*(B) Water legally released from storage.*

*(b) Attainment of the specified flow levels during some portions of the year will require development of water storage or implementation of other measures to augment flows.*

*(3) The minimum perennial streamflows established by the July 12, 1966 Mid-Coast Basin Program shall remain in effect over appropriations issued from July 12, 1966 to March 26, 1974.*

*[ED. NOTE: The Table(s) referenced in this rule is not printed in the OAR Compilation. Copies are available from the agency.]*

Stat. Auth.: ORS 536 & [ORS 537](#)

Stats. Implemented:

Hist.: WRB 36, f. 7-27-66; WRB 59, f. 4-15-74; WRB 62, f. 3-26-75; WRD 4-1981, f. & cert. ef. 5-28-81; WRD 4-1984, f. & cert. ef. 10-30-84; WRD 5-1987, f. & cert. ef. 5-20-87; WRD 20-1990, f. & cert. ef. 12-14-90, Renumbered from 690-080-0180

**[690-518-0040**

### ***Storage***

*All applications for appropriation of water for storage in structures impounding more than 3,000,000 gallons of water shall be reviewed by the Water Resources Commission prior to approval. During the review the Water Resources Commission may establish additional minimum flows on the natural flow of the stream to support aquatic life or minimize pollution.]*

Stat. Auth.: ORS 536 & [ORS 537](#)

Stats. Implemented:

Hist.: WRB 36, f. 7-27-66; WRB 59, f. 4-15-74; WRB 62, f. 3-26-75; WRD 4-1981, f. & cert. ef. 5-28-81; WRD 4-1984, f. & cert. ef. 10-30-84; WRD 5-1987, f. & cert. ef. 5-20-87; WRD 20-1990, f. & cert. ef. 12-14-90, Renumbered from 690-080-0180

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**[690-518-0050**

***Out-of-Basin Appropriations***

*To support present and proposed Mid-Coast Basin water resource development, no out-of-basin appropriation of the waters of the Mid-Coast Basin shall be made or granted by any state agency or public corporation of the state without prior approval of, and following a public hearing by, the Water Resources Commission.]*

Stat. Auth.: ORS 536 & [ORS 537](#)

Stats. Implemented:

Hist.: WRB 36, f. 7-27-66; WRB 59, f. 4-15-74; WRB 62, f. 3-26-75; WRD 4-1981, f. & cert. ef. 5-28-81; WRD 4-1984, f. & cert. ef. 10-30-84; WRD 5-1987, f. & cert. ef. 5-20-87; WRD 20-1990, f. & cert. ef. 12-14-90, Renumbered from 690-080-0180

**690-518-0060**

**Water Quality**

*[Rights to use of water granted by any state agency in accordance with this water use program shall be issued only on the condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.]* **Permits to use water shall be conditioned such that any effluents or return flows from such uses shall not cause state or federal water-quality standards to be exceeded.**

Stat. Auth.: ORS 536 & [ORS 537](#)

Stats. Implemented:

Hist.: WRB 36, f. 7-27-66; WRB 59, f. 4-15-74; WRB 62, f. 3-26-75; WRD 4-1981, f. & cert. ef. 5-28-81; WRD 4-1984, f. & cert. ef. 10-30-84; WRD 5-1987, f. & cert. ef. 5-20-87; WRD 20-1990, f. & cert. ef. 12-14-90, Renumbered from 690-080-0180

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