

# Memorandum

November 17, 2004

**TO:** Interested Persons

**FROM:** Ann Hanus Director

**SUBJECT:** Availability of Draft John Day Navigability Report

This memorandum is to advise you of the availability of the revised draft of the John Day River Navigability Study, a copy of which has been enclosed with this memorandum.

In an earlier mailing, you should have already received a notice of the State Land Board hearing to be held on Tuesday, December 14th. The sole purpose of this hearing is for the Board to obtain public comment on the following two questions:

Does the factual evidence presented in the enclosed draft of the John Day River Navigability Study meet the federal test for title navigability?

Should the Land Board, based on the factual evidence contained in this draft of the John Day River Navigability Study, make a declaration of public ownership of the John Day River from Tumwater Falls at RM 10 upstream to Kimberly at RM 184?

Should you have not received the prior notice, this Land Board hearing will be held:

Tuesday, December 14, 2004  
9 AM to 12 noon  
Hotel Condon dining room  
202 South Main Street  
Condon, Oregon

We hope you can attend this hearing, and welcome your input on the accuracy of the report and whether the evidence presented in it meets the requirements of the federal test for navigability.

Should you be unable to attend, please feel free to e-mail your comments either prior to, or no later than Wednesday, December 21, 2004 to either John Lilly or Jeff Kroft at the addresses given below. The Land Board may, at its December 14, 2004, meeting extend the public comment period. You will be notified if the Land Board takes this action.

Should you have any questions, please contact either:

John Lilly  
Assistant Director  
(503) 378-3805, ext. 281  
[john.lilly@dsl.state.or.us](mailto:john.lilly@dsl.state.or.us)

Or

Jeff Kroft  
Policy Development Specialist  
(503) 378-3805, ext. 280  
[jeff.kroft@dsl.state.or.us](mailto:jeff.kroft@dsl.state.or.us)

If you would like to comment on this study, please feel free to contact either of the above persons, or submit your thoughts using our John Day River e-mail address: [johndayrivercomments@dsl.state.or.us](mailto:johndayrivercomments@dsl.state.or.us)

Additionally, for the most up-to-date information concerning the Department's navigability-related activities, check our website at:  
[www.oregonstatelands.us](http://www.oregonstatelands.us)