

# Application for Permit Amendment

## Part 1 of 5 – Minimum Requirements Checklist



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

**This permit amendment application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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**Check all items included with this application. (N/A = Not Applicable)**

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended:** 1  
**List the Permits here:** S- 54969  
Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

**(For Staff Use Only)**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503- _____ Date: ____/____/____	

## Part 2 of 5 – Permit Amendment Map Checklist

Your permit amendment application will be returned if any of the map requirements listed below are not met.

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- N/A If **more than three** permits are involved, separate maps for each permit.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).  
GPS coordinates of all PODS are found in Table 1 of Supporting Documentation

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**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	0
3	Number of permits included in Permit Amendment <u>1</u> (3a) Subtract 1 from the number in 3a: <u>0</u> (3b) <i>If only one permit this will be 0</i> Multiply line 3b by \$610 and enter »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed <u>0</u> (4a)  Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>0</u> (4b) Add line 4a to line 4b and enter »	4	0
5	Do you propose to change the place of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see below*): <u>        </u> (5a) Subtract 1.0 from the number in 5a above: <u>        </u> (5b) If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>        </u> (5c) and multiply 5c by \$350, then enter on line 5 »	5	0
6	Add entries on lines 1 through 5 above » Subtotal:	6	1,360
7	Is this permit amendment: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » <b>Permit Amendment Fee:</b>	<b>8</b>	1,360

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\*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each permit involved as follows:
  - Divide total authorized cfs by total acres in the permit (for S-12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be changed to get the application cfs (x 45 ac = 0.56 cfs).
  - If the water right permit does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For S-87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
- Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land.** The fee should be assessed only once for each “on the ground” acre included in the application. (In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME U.S. Fish and Wildlife Service			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 911 NE 11th Avenue				FAX NO.
CITY Portland	STATE OR	ZIP 97232	E-MAIL	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Rachel Esralew			PHONE NO. 503-231-6167	ADDITIONAL CONTACT NO.
ADDRESS 911 NE 11th Avenue				FAX NO.
CITY Portland	STATE OR	ZIP 97232	E-MAIL Rachel_Esralew@fws.gov	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this permit amendment; and why:

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record?  Yes  No

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

Has the Completion ("C") Date of the permit(s) in this application expired?  Yes  No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? 10/1/2027

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

**By my signature below, I confirm that I understand:**

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: \_\_\_\_\_

**I (we) affirm that the information contained in this application is true and accurate.**

Digitally signed by RACHEL  
ESRALEW  
Date: 2024.07.16 12:55:15 -0700  
RACHEL ESRALEW  
Applicant Signature

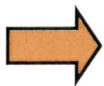
Rachel Esralew  
Print Name (and Title if applicable)

7/16/2024  
Date

Applicant Signature

Print Name (and Title if applicable)

Date



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**Check one of the following:**

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

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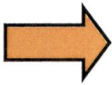
**Check the appropriate box, if applicable:**

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Harney County	ADDRESS Courthouse	
CITY 450 N Buena Vista Avenue	STATE Burns	ZIP 97720

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

## INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

### Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

### Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

### Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing** in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

### Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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**Part 5 of 5 – Water Use Permit Information**

Please use a separate Part 5 for each permit being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

PERMIT # S-54969

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed	<b>See Attachment for Table 1.</b>						
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							Received
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							SEP 03 2024
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							OWRD

**Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):**

- |  |  |
|--|--|
| <input type="checkbox"/> Place of Use (POU)                              | <input type="checkbox"/> Point of Appropriation/Well (POA)             |
| <input checked="" type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA)      |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

**Will all of the proposed changes affect the entire water use permit?**

- Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the permit to be changed.

**For a change in place of use:**

**Does the permit holder of record own or control the land TO which the place of use is being moved?**

- Yes  No There is no proposed change in place of use.

If NO, the landowner of the land TO which the place of use is being **moved must be assigned to the permit as a permit holder of record** by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

**Is the proposed place of use contiguous to the authorized place of use?**  Yes  No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer

**Table 2. Description of Changes to Water Use Permit # S-54969**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
<b>EXAMPLE</b>																							
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
<b>See attachment for Table 2.</b>																							
TOTAL ACRES											TOTAL ACRES												

Additional remarks: \_\_\_\_\_

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Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands?  Yes  No

If YES, list the other certificate, permit, or ground water registration numbers: \_\_\_\_\_



If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
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# Application for Permit Amendment

## *Attachment 1 - Supporting Information*

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Application S-87945, Permit S-54969

U.S. Fish and Wildlife Service, Malheur National Wildlife Refuge

*Mary Lindenberg, Hydrologist*

*Rachel Esralew, Supervisory Hydrologist*

*July 15, 2024*

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### Purpose

This document supports the Application for Permit Amendment form. The questions from the Application for Permit Amendment form are answered in detail in this document.

To comply with the measurement requirements, the U.S. Fish and Wildlife Service (Service) requests to amend the permit S-54969 to change its Point of Diversions (POD) to locations that are reliable for accurate flow measurement. In December 2013, the Service applied for a water right for six springs in the Double O unit of Malheur National Wildlife Refuge (Refuge), which is in the Warm Springs Valley of the Harney Basin. The Oregon Water Resources Department (Department) issued a permit for water use from six springs for the purpose of Wildlife Refuge Management. The condition of the permit requires the completion and application of water put to full beneficial use within 5 years of the issuance date on June 16, 2016. Additionally, the permit requires installation of a suitable measuring device, which is used to measure flow from each point of diversion. The permit requires the Service to keep a record of the volume of water diverted each month and to report the monthly volume annually to the Department. Due to the physical constraints of each spring or POD it is not possible to install a suitable measuring device to measure flow. The Service was unable to sufficiently record the volume of the water that was put to full beneficial use within the time required by the permit, because Service efforts of measuring flow directly from the springs did not produce reliable, accurate data. The Service applied for an Extension of Time, which was granted until 2027. The Service anticipates that the proposed amendment will allow for sufficient measurement of flow from the springs.

### Summary of Problem

The Service cannot successfully comply with the permit requirement to measure and report the volume of water diverted at the currently designated PODs under S-54969 and wishes to amend the permit to change PODs to locations which would allow successful flow measurement. The Double O Springs water right application initially proposed the locations of the PODs where the springs erupt. Unfortunately, due to the nature of the springs it is difficult to measure the flow of the springs at their eruption point. The spring flow is submerged because they are generally located at the edge of a larger pool. In addition, springflow is diffuse because it does not originate from one location and may erupt in small quantities of flow over a large area spanning 10s of meters. Therefore, the Service requests to amend the permit to move the POD locations to those that are measurable and allow the Service to abide by

the monitoring requirements of the permit.

## Name Change for Original Permit PODs

The Service requests to change the names of the original PODs following the naming convention of the Geographic Names Information System (GNIS). The Service wishes to change the original permit name of "Double 'O' Cold Spring" to "Double O Cold Spring" and "Hibbard aka Double 'O' Spring" to "Hibbard Spring". The GNIS does not use the single quotation marks for the 'O' in Double O. In addition, GNIS names Hibbard Spring without "aka Double 'O'".

## Setting

Each of the six springs that are listed as PODs for S-54969 flow into a pond, lake, or a canal, which act as containment for the spring flow where the points of diversion are the control structures that allow flow beyond the containment area of the canal or pond. For example: (1) Stinking Lake Spring flows into Stinking Lake and Harney Lake Spring Area flows into Harney Lake, (2) Basque Spring and Barnyard Spring both flow into Goulden Canal, and (3) Double O Cold Spring and Hibbard Spring both flow into a larger impounded body of water that runs northeast to southwest between the two spring sources.

### *Barnyard and Basque Springs*

Both Barnyard and Basque Springs ultimately flow and collect into Goulden Canal and the connection between the two springs is unimpeded. Managers can control Goulden Canal flow path to the north from where Barnyard Spring flows into Goulden Canal and the east of where Basque Springs flows into Goulden Canal. Barnyard Spring's source is a diffuse flow of water coming out of the hillside and into a pool where Goulden Canal widens. There are two control structures that allow flow to be released from the Barnyard Spring pool; one that controls flow into St. Clair Canal and one that releases water into the emergent wetlands to the east. In addition, the spring flow can mix with waters flowing southeast in Goulden Canal, which will end up mixed with Basque Springs output. Basque Springs diffusely flows out of the hillside and into a pool connected to Goulden Canal and can also flow to the northwest in Goulden Canal to mix with Barnyard Springs.

Three structures control flow released from Goulden Canal close to Basque Springs. To the east of where Basque Springs pool enters Goulden Canal, a control structure allows managers to control flow released to the east in the canal. Two additional structures on Goulden Canal that allow managers to release waters to the emergent wetlands to the northeast.

### *Double O Cold and Hibbard Springs*

Hibbard Spring flows into a larger pond that is hydraulically connected to waters released from the Double O Cold Spring. Hibbard Spring flows into a long-shaped pond that stretches from the southwest to the northeast. There are no control structures near Hibbard Springs pool area, but there are control structures that allow flow releases at the midpoint and at the north end of the collective pool that both Hibbard and Double O Cold Springs share. The midpoint control structure allows releases to an unnamed canal that passes by the Double O Ranch complex on its way to the St. Clair Canal. This control structure is rarely ever used. On the north end of the collective pool are two control structures that release flow to the St. Clair Canal and the North Canal.

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## Amendment Proposal

### *Measurement Authorization*

This water right amendment proposes to change the water right PODs from the spring source itself to the control structures that control flow from the bodies of water that collect the spring flow. Please note that all water control structures will be converted to Flash Board Risers (FBR) that will allow for measurement of flow using a weir equation. If this amendment is accepted, four of the proposed POD control structures will be converted to FBRs to support the measurement requirement of the permit. In July 2023, the Service met with Watermaster, Don "Dally" Swindlehurst, to confirm that alternative POD measurement points are acceptable means of measuring flow. Dally Swindlehurst confirmed that FBRs would allow for measurement devices to be utilized, and measuring flow at those locations is an acceptable means to monitor and record flow. The Service will keep a record of the volume of water diverted each month to report the monthly volume, annually, to the Department, similar to the current authorized permit.

### *Barnyard and Basque Springs*

Instead of assigning PODs at the Barnyard and Basque Spring output location, the Service proposes to move the permit PODs to the control structures that release flow out of the spring flow pools in the Goulden Canal. To abide by the permit requirement to measure and record the volume released from the springs, the Service proposes to combine the flow from Basque and Barnyard Springs and measure that flow at the five flow control structures (Table 1: PODs; 7, 8, 9, 10, 11) on Goulden Canal.

### *Double O Cold and Hibbard Springs*

Similarly, to changing PODs at the Barnyard and Basque Spring output location, the Service proposes to move the Double O Cold and Hibbard Spring PODs to the control structures that release flow out of the spring flow pools that contain springflow from Double O Cold and Hibbard Springs. To abide by the permit requirement to measure and record the volume released from the springs, the Service proposes to combine the flow from Double O Cold and Hibbard Spring and measure that flow released from the three flow control structures (Table 1: PODs; 12, 13, 14).

The following addresses the Questions in the Application for the Extension of Time

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	Twp	Rng	Sec	¼¼	Latitude	Longitude
Stinking Lake Spring / POD1	Authorized	T26S	R28E	16	NWSE	43.314176	-119.367269938
Harney Lake Spring Area / POD2	Authorized	T27S	R29E	11	E1/2	43.244772	-119.201581
*Basque Spring / POD3	Authorized	T26S	*R29E	31	SWSW	43.268644	-119.29499

Barnyard Spring / POD4	Authorized	T26S	R28E	36	SENW	43.276262	-119.310015
Hibbard Spring / POD5	Authorized	T26S	R28E	35	SENW	43.273332	-119.330448
Double O Cold Spring / POD6	Authorized	T26S	R28E	26	SESE	43.28385	-119.31712
Basque Spring East Control / POD7	Proposed	T26S	R29E	31	SESW	43.2683276	-119.2928471
Basque Spring Center Control / POD8	Proposed	T26S	R29E	31	NWSW (L3)	43.2693045	-119.2944593
Basque Spring West Control / POD9	Proposed	T26S	R29E	31	NWSW (L3)	43.2706150	-119.296822
Barnyard Spring North Control / POD10	Proposed	T26S	R28E	36	SENW	43.2762258	-119.3092508
Barnyard Spring South Control / POD11	Proposed	T26S	R28E	36	SENW	43.2760266	-119.3092385
Hibbard Spring Control / POD12	Proposed	T26S	R28E	35	NENE	43.2777863	-119.3198115
Double O Cold Spring East Control / POD13	Proposed	T26S	R28E	25	NWSW	43.2845174	-119.3139972
Double O Cold Spring West Control / POD14	Proposed	T26S	R28E	25	NWSW	43.2844165	-119.3140991

\* The Permit Point of Diversion Location incorrectly located the Range of Basque Spring to be R28E, whereas the correct location is R29E as described in the application.

**Table 2. Description of Changes to Water Use Permit # S-54969**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed										PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot*	Gvt Lot or DLC	Acres	POD(s) or POA(s)	Priority Date	Proposed Changes	Twp	Rng	Sec	¼ ¼	Tax Lot*	Gvt Lot or DLC	Acres	POD(s) or POA(s)	Priority Date	
26S	29E	31	SWSW	A			POD3	12/24/2013	POD	26S	29E	31	SESW	B			POD7	12/24/2013	
26S	28E	36	SENW	B			POD4												
26S	29E	31	SWSW	A			POD3	12/24/2013	POD	26S	29E	31	NWSW	B			POD8	12/24/2013	
26S	28E	36	SENW	B			POD4												
26S	29E	31	SWSW	A			POD3	12/24/2013	POD	26S	29E	31	NWSW	B			POD9	12/24/2013	

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26S	28E	36	SENW	B			POD4											
26S	29E	31	SWSW	A			POD3	12/24/2013	POD	26S	28E	36	SENW	A			POD10	12/24/2013
26S	28E	36	SENW	B			POD4											
26S	29E	31	SWSW	A			POD3	12/24/2013	POD	26S	28E	36	SENW	A			POD11	12/24/2013
26S	28E	36	SENW	B			POD4											
26S	28E	35	SENW	A			POD5	12/24/2013	POD	26S	28E	35	NENE	A			POD12	12/24/2013
26S	28E	26	SESE	A			POD6											
26S	28E	35	SENW	A			POD5	12/24/2013	POD	26S	28E	25	NWSW	A			POD13	12/24/2013
26S	28E	26	SESE	A			POD6											
26S	28E	35	SENW	A			POD5	12/24/2013	POD	26S	28E	25	NWSW	A			POD14	12/24/2013
26S	28E	26	SESE	A			POD6											

\*TaxLots: A = 26S28E000000100, B = 26S29E000000900, C = 27S29VE0000WATER

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STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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SEP 03 2024  
OWRD

THIS PERMIT IS HEREBY ISSUED TO

US FISH AND WILDLIFE SERVICE  
MALHEUR NATIONAL WILDLIFE REFUGE  
911 NE 11<sup>th</sup> AVE  
PORTLAND, OR 97232-4181

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

APPLICATION FILE NUMBER: S-87945

PURPOSE OR USE: WILDLIFE REFUGE MANAGEMENT

SOURCES AND MAXIMUM RATES: 37.5 CUBIC FEET PER SECOND (CFS), BEING 4.5 CFS FROM HARNEY LAKE SPRING AREA, 16.0 CFS FROM HIBBARD aka DOUBLE "O" SPRING, 1.0 CFS FROM DOUBLE "O" COLD SPRING, 7.0 CFS FROM BARNYARD SPRING, 4.0 CFS FROM BASQUE SPRING, AND 5.0 CFS FROM STINKING LAKE SPRING, TRIBUTARIES OF HARNEY LAKE

PERIOD OF USE:

HARNEY LAKE SPRING AREA	YEAR-ROUND
HIBBARD aka DOUBLE "O" SPRING	AUGUST 1 THROUGH APRIL 30
DOUBLE "O" COLD SPRING	AUGUST 1 THROUGH APRIL 30
BARNYARD SPRING	AUGUST 1 THROUGH APRIL 30
BASQUE SPRING	AUGUST 1 THROUGH APRIL 30
STINKING LAKE SPRING	NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: DECEMBER 24, 2013

POINT OF DIVERSION LOCATIONS:

HARNEY LAKE SPRING AREA: SECTION 11, T27S, R29E, W.M.; E1/2, SECTION 11

HIBBARD aka DOUBLE "O" SPRING: SE ¼ NW ¼, SECTION 35, T26S, R28E, W.M.; 1970 FEET SOUTH AND 170 FEET EAST FROM N1/4 CORNER, SECTION 35

DOUBLE "O" COLD SPRING: SE ¼ SE ¼, SECTION 26, T26S, R28E, W.M.; 1115 FEET NORTH AND 40 FEET WEST FROM SE CORNER, SECTION 26

BARNYARD SPRING: SE ¼ NW ¼, SECTION 36, T26S, R28E, W.M.; 1390 FEET SOUTH AND 2080 FEET EAST FROM NW CORNER, SECTION 36

BASQUE SPRING: SW ¼ SW ¼, SECTION 31, T26S, R28E, W.M.; 1130 FEET NORTH AND 720 FEET EAST FROM SW CORNER, SECTION 31

STINKING LAKE SPRING: NW ¼ SE ¼, SECTION 16, T26S, R28E, W.M.; 1920 FEET NORTH AND 200 FEET EAST FROM S1/4 CORNER, SECTION 16

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE ¼ SE ¼  
NW ¼ SE ¼  
SW ¼ SE ¼  
SE ¼ SE ¼  
SECTION 34

SE ¼ NE ¼  
SW ¼ NW ¼  
SE ¼ NW ¼  
NE ¼ SW ¼  
NW ¼ SW ¼  
SW ¼ SW ¼  
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NE ¼ SE ¼  
NW ¼ SE ¼  
SW ¼ SE ¼  
SE ¼ SE ¼  
SECTION 36

TOWNSHIP 25 SOUTH, RANGE 28 EAST, W.M.

SW ¼ SW ¼ GOV'T LOT 4  
SECTION 31

TOWNSHIP 25 SOUTH, RANGE 29 EAST, W.M.

NE ¼ NE ¼ GOV'T LOT 1  
NW ¼ NE ¼ GOV'T LOT 2  
SW ¼ NE ¼  
SE ¼ NE ¼  
NE ¼ NW ¼ GOV'T LOT 3  
NW ¼ NW ¼ GOV'T LOT 4  
SW ¼ NW ¼  
SE ¼ NW ¼  
NE ¼ SW ¼  
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SE ¼ SW ¼  
NE ¼ SE ¼  
NW ¼ SE ¼  
SW ¼ SE ¼

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SECTION 1

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SECTION 2

NE ¼ NW ¼ GOV'T LOT 1  
NW ¼ NW ¼ GOV'T LOT 2  
SW ¼ NE ¼  
SE ¼ NE ¼  
NE ¼ NW ¼ GOV'T LOT 3  
NW ¼ NW ¼ GOV'T LOT 4  
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SECTION 3

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SECTION 4

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SECTION 10

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SECTION 11

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SECTION 12

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SECTION 23

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SECTION 24

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SECTION 25

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SECTION 26

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SECTION 34

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SECTION 35

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SECTION 36

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TOWNSHIP 26 SOUTH, RANGE 28 EAST, W.M.

NE ¼ NW ¼ GOV'T LOT 3  
 NW ¼ NW ¼ GOV'T LOT 4  
 SW ¼ NW ¼ GOV'T LOT 5  
 SE ¼ NW ¼  
 NE ¼ SW ¼  
 NW ¼ SW ¼ GOV'T LOT 6  
 SW ¼ SW ¼ GOV'T LOT 7  
 SE ¼ SW ¼  
 SECTION 6

NW ¼ NW ¼ GOV'T LOT 1  
 SW ¼ NW ¼ GOV'T LOT 2  
 NW ¼ SW ¼ GOV'T LOT 3  
 SW ¼ SW ¼ GOV'T LOT 4  
 SE ¼ SW ¼  
 SECTION 7

SE ¼ SW ¼  
 SECTION 17

NE ¼ NW ¼  
 NW ¼ NW ¼ GOV'T LOT 1  
 SW ¼ NW ¼ GOV'T LOT 2  
 SE ¼ NW ¼  
 NE ¼ SW ¼  
 NW ¼ SW ¼ GOV'T LOT 3  
 SW ¼ SW ¼ GOV'T LOT 4  
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 SECTION 18

NE ¼ NE ¼  
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 SECTION 19

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 SECTION 20

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 SECTION 25

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 SECTION 28

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 SW ¼ SW ¼ GOV'T LOT 4  
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 SECTION 30

NE ¼ NE ¼  
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 NW ¼ SW ¼ GOV'T LOT 3  
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 SECTION 31

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 SECTION 32

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 SECTION 33

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**OWRD**

SW ¼ SE ¼  
SE ¼ SE ¼  
SECTION 35

NE ¼ NE ¼  
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SW ¼ SE ¼  
SE ¼ SE ¼  
SECTION 36

TOWNSHIP 26 SOUTH, RANGE 29 EAST, W.M.

NE ¼ SW ¼  
NW ¼ SW ¼  
SW ¼ SW ¼  
SE ¼ SW ¼  
SW ¼ SE ¼  
SE ¼ SE ¼  
SECTION 26

SW ¼ NE ¼  
SE ¼ NE ¼  
SW ¼ NW ¼  
SE ¼ NW ¼  
NE ¼ SW ¼ GOV'T LOT 3  
NW ¼ SW ¼ GOV'T LOT 4  
SE ¼ SW ¼ GOV'T LOT 5  
NE ¼ SE ¼ GOV'T LOT 1  
NW ¼ SE ¼ GOV'T LOT 2  
SW ¼ SE ¼ GOV'T LOT 6  
SE ¼ SE ¼ GOV'T LOT 7  
SECTION 27

SW ¼ NE ¼  
SE ¼ NE ¼  
SW ¼ NW ¼  
SE ¼ NW ¼  
NE ¼ SW ¼ GOV'T LOT 3  
NW ¼ SW ¼ GOV'T LOT 4

Received  
SEP 03 2024

OWRD

NE ¼ SE ¼ GOV'T LOT 1  
NW ¼ SE ¼ GOV'T LOT 2  
SECTION 28

NE ¼ NE ¼  
NW ¼ NE ¼  
SW ¼ NE ¼  
SE ¼ NE ¼  
NE ¼ NW ¼  
NW ¼ NW ¼  
SW ¼ NW ¼  
SE ¼ NW ¼  
NE ¼ SW ¼ GOV'T LOT 3  
NW ¼ SW ¼ GOV'T LOT 4  
NE ¼ SE ¼ GOV'T LOT 1  
NW ¼ SE ¼ GOV'T LOT 2  
SECTION 29

NE ¼ NE ¼  
NW ¼ NE ¼  
SW ¼ NE ¼  
SE ¼ NE ¼  
NE ¼ SW ¼ GOV'T LOT 7  
NW ¼ SW ¼ GOV'T LOT 3  
SW ¼ SW ¼ GOV'T LOT 4  
NE ¼ SE ¼ GOV'T LOT 8  
SW ¼ SE ¼ GOV'T LOT 5  
NW ¼ SE ¼ GOV'T LOT 6  
SW ¼ SE ¼ GOV'T LOT 9  
SECTION 30

NE ¼ NW ¼ GOV'T LOT 1  
NW ¼ NW ¼ GOV'T LOT 2  
SECTION 31

NW ¼ NW ¼ GOV'T LOT 1  
SECTION 34

NE ¼ NE ¼  
NW ¼ NE ¼  
SW ¼ NE ¼ GOV'T LOT 3  
SE ¼ NE ¼ GOV'T LOT 4  
NE ¼ NW ¼ GOV'T LOT 1  
NW ¼ NW ¼ GOV'T LOT 2  
SECTION 35

NE ¼ NE ¼  
NW ¼ NE ¼  
SW ¼ NE ¼  
SE ¼ NE ¼

Received  
SEP 03 2024  
OWRD

NE ¼ NW ¼  
NW ¼ NW ¼  
SW ¼ NW ¼  
SE ¼ NW ¼  
NE ¼ SW ¼ GOV'T LOT 3  
NW ¼ SW ¼ GOV'T LOT 4  
NE ¼ SE ¼ GOV'T LOT 1  
NW ¼ SE ¼ GOV'T LOT 2

SECTION 36

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

NE ¼ SW ¼ GOV'T LOT 4  
NW ¼ SW ¼ GOV'T LOT 3  
SE ¼ SW ¼ GOV'T LOT 5  
NW ¼ SE ¼  
SW ¼ SE ¼ GOV'T LOT 6

SECTION 31

TOWNSHIP 26 SOUTH, RANGE 31 EAST, W.M.

NW ¼ NW ¼ GOV'T LOT 1  
SECTION 1

NE ¼ NE ¼ GOV'T LOT 1  
NW ¼ NE ¼ GOV'T LOT 2  
SW ¼ NE ¼ GOV'T LOT 5  
SE ¼ NE ¼  
NE ¼ NW ¼ GOV'T LOT 3  
NW ¼ NW ¼ GOV'T LOT 4  
SW ¼ NW ¼  
SE ¼ NW ¼  
NW ¼ SE ¼ GOV'T LOT 6  
SW ¼ SE ¼ GOV'T LOT 7  
SECTION 2

NE ¼ NE ¼ GOV'T LOT 1  
NW ¼ NE ¼ GOV'T LOT 2  
SW ¼ NE ¼  
SE ¼ NE ¼  
NE ¼ NW ¼ GOV'T LOT 3  
NE ¼ NE ¼ GOV'T LOT 4  
SW ¼ NW ¼  
SE ¼ NW ¼  
SECTION 3

NE ¼ NE ¼ GOV'T LOT 1  
NW ¼ NE ¼ GOV'T LOT 2  
SW ¼ NE ¼  
SE ¼ NE ¼  
NE ¼ NW ¼ GOV'T LOT 3  
NW ¼ NW ¼ GOV'T LOT 4  
SECTION 4

Received  
SEP 03 2024  
OWRD

NW ¼ NE ¼ GOV'T LOT 2  
NE ¼ NW ¼ GOV'T LOT 3  
NW ¼ NW ¼ GOV'T LOT 4  
SECTION 6

NE ¼ NW ¼ GOV'T LOT 1  
SE ¼ NW ¼ GOV'T LOT 2  
NE ¼ NW ¼ GOV'T LOT 3  
NW ¼ SW ¼ GOV'T LOT 4  
SW ¼ SW ¼ GOV'T LOT 5  
SECTION 11

NW ¼ NW ¼ GOV'T LOT 1  
SW ¼ NW ¼ GOV'T LOT 2  
NE ¼ SW ¼ GOV'T LOT 3  
NW ¼ SW ¼  
SE ¼ SW ¼ GOV'T LOT 4  
SECTION 14

NW ¼ NE ¼ GOV'T LOT 2  
SW ¼ NE ¼ GOV'T LOT 3  
SE ¼ NE ¼ GOV'T LOT 4  
NE ¼ NW ¼ GOV'T LOT 1  
NW ¼ NW ¼  
SE ¼ NW ¼  
NE ¼ SE ¼  
NW ¼ SE ¼  
SE ¼ SE ¼  
SECTION 23

NW ¼ SW ¼ GOV'T LOT 1  
SW ¼ SW ¼ GOV'T LOT 2  
SE ¼ SW ¼ GOV'T LOT 3  
SECTION 24

NW ¼ NE ¼ GOV'T LOT 2  
SW ¼ NE ¼  
SE ¼ NE ¼ GOV'T LOT 3  
NE ¼ NW ¼  
NW ¼ NW ¼  
NE ¼ SE ¼  
SECTION 25

TOWNSHIP 27 SOUTH, RANGE 29 EAST, W.M.

NW ¼ SW ¼ GOV'T LOT 1  
SW ¼ SW ¼ GOV'T LOT 2  
SECTION 25

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NW ¼ SW ¼ GOV'T LOT 1  
SW ¼ SW ¼ GOV'T LOT 2  
SECTION 28

SE ¼ NE ¼  
NE ¼ SW ¼ GOV'T LOT 3  
NW ¼ SW ¼ GOV'T LOT 4  
SW ¼ SW ¼  
SE ¼ SW ¼  
NE ¼ SE ¼ GOV'T LOT 1  
NW ¼ SE ¼ GOV'T LOT 2  
SW ¼ SE ¼  
SE ¼ SE ¼  
SECTION 29

SW ¼ SW ¼ GOV'T LOT 4  
SW ¼ SW ¼ GOV'T LOT 5  
SE ¼ SW ¼ GOV'T LOT 3  
SW ¼ SE ¼ GOV'T LOT 2  
SE ¼ SE ¼ GOV'T LOT 1  
SECTION 30

NE ¼ NE ¼  
NW ¼ NE ¼  
SW ¼ NE ¼  
SE ¼ NE ¼  
SECTION 32

NW ¼ NW ¼ GOV'T LOT 1  
NE ¼ NW ¼ GOV'T LOT 2  
NE ¼ SW ¼ GOV'T LOT 3  
NW ¼ SW ¼  
SW ¼ SW ¼  
SE ¼ SW ¼  
SW ¼ SE ¼ GOV'T LOT 4  
SE ¼ SE ¼ GOV'T LOT 5  
SECTION 33

SW ¼ SW ¼ GOV'T LOT 1  
SE ¼ SW ¼ GOV'T LOT 2  
SW ¼ SE ¼ GOV'T LOT 3  
SE ¼ SE ¼ GOV'T LOT 4  
SECTION 34

SW ¼ SW ¼ GOV'T LOT 1  
SE ¼ SW ¼ GOV'T LOT 2  
SW ¼ SE ¼ GOV'T LOT 3  
SECTION 35

Received  
SEP 03 2024  
OWRD

SW ¼ SE ¼ GOV'T LOT 1  
 SW ¼ NE ¼ GOV'T LOT 2  
 SE ¼ NE ¼  
 SE ¼ SW ¼  
 NE ¼ SE ¼  
 NE ¼ SW ¼ GOV'T LOT 3  
 SE ¼ SW ¼ GOV'T LOT 4  
 SW ¼ SE ¼  
 SECTION 36

TOWNSHIP 27 SOUTH, RANGE 29.5 EAST, W.M.

NE ¼ NE ¼ GOV'T LOT 6  
 SW ¼ NE ¼ GOV'T LOT 7  
 SE ¼ NE ¼ GOV'T LOT 5  
 NE ¼ SE ¼ GOV'T LOT 1  
 NE ¼ SE ¼ GOV'T LOT 4  
 NW ¼ SE ¼ GOV'T LOT 8  
 SW ¼ SE ¼ GOV'T LOT 9  
 SE ¼ SE ¼ GOV'T LOT 2  
 SE ¼ SE ¼ GOV'T LOT 3  
 SECTION 8

NE ¼ NE ¼ GOV'T LOT 1  
 NE ¼ NE ¼ GOV'T LOT 5  
 SE ¼ NE ¼ GOV'T LOT 6  
 SE ¼ NE ¼ GOV'T LOT 2  
 NW ¼ SW ¼ GOV'T LOT 11  
 SW ¼ SW ¼  
 SE ¼ SW ¼ GOV'T LOT 10  
 NE ¼ SE ¼ GOV'T LOT 3  
 NE ¼ SE ¼ GOV'T LOT 7  
 SW ¼ SE ¼  
 SE ¼ SE ¼ GOV'T LOT 4  
 SE ¼ SE ¼ GOV'T LOT 8  
 SECTION 17

SE ¼ NE ¼ GOV'T LOT 1  
 SE ¼ NE ¼ GOV'T LOT 2  
 SW ¼ SE ¼ GOV'T LOT 3  
 SE ¼ SE ¼  
 SECTION 18

NE ¼ NE ¼  
 NW ¼ NE ¼ GOV'T LOT 4  
 SW ¼ NE ¼  
 SE ¼ NE ¼  
 SE ¼ NW ¼ GOV'T LOT 1  
 NE ¼ SW ¼ GOV'T LOT 2  
 SW ¼ SW ¼ GOV'T LOT 3  
 SE ¼ SW ¼  
 SECTION 19

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 OWRD



SE ¼ NW ¼ GOV'T LOT 1  
 NE ¼ SW ¼ GOV'T LOT 2  
 NW ¼ NE ¼ GOV'T LOT 8  
 SW ¼ NE ¼ GOV'T LOT 3  
 SE ¼ NE ¼  
 NE ¼ NW ¼ GOV'T LOT 7  
 NW ¼ NW ¼ GOV'T LOT 6  
 SW ¼ NW ¼ GOV'T LOT 5  
 SE ¼ NW ¼ GOV'T LOT 4  
 SECTION 20

NE ¼ NW ¼  
 NW ¼ NW ¼ GOV'T LOT 1  
 SW ¼ NW ¼ GOV'T LOT 2  
 SE ¼ NW ¼  
 NE ¼ SW ¼  
 NW ¼ SW ¼ GOV'T LOT 3  
 SW ¼ SW ¼ GOV'T LOT 4  
 SE ¼ SW ¼  
 SECTION 30

TOWNSHIP 27 SOUTH, RANGE 30 EAST, W.M.

NE ¼ NE ¼ GOV'T LOT 1  
 NE ¼ NE ¼ GOV'T LOT 5  
 NE ¼ NW ¼ GOV'T LOT 3  
 NW ¼ NE ¼ GOV'T LOT 4  
 NW ¼ NE ¼ GOV'T LOT 2  
 SW ¼ NE ¼ GOV'T LOT 7  
 SE ¼ NE ¼ GOV'T LOT 6  
 SW ¼ NW ¼ GOV'T LOT 9  
 SE ¼ NW ¼ GOV'T LOT 8  
 SECTION 1

**Received**  
**SEP 03 2024**  
**OWRD**

NE ¼ NE ¼ GOV'T LOT 1  
 NW ¼ NE ¼ GOV'T LOT 2  
 NW ¼ NE ¼ GOV'T LOT 7  
 SW ¼ NE ¼ GOV'T LOT 10  
 NE ¼ NE ¼ GOV'T LOT 8  
 SE ¼ NE ¼ GOV'T LOT 9  
 SECTION 2

TOWNSHIP 28 SOUTH, RANGE 29.75 EAST, W.M.

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

- A. Before water use may begin under this permit, the permittee shall install a weir or other suitable measuring device at each point of diversion. 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 diverted each month, and shall submit a report which includes water-use 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.

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices to prevent fish from entering the proposed diversion, and to provide adequate upstream and downstream passage for fish.

**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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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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.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, 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 making beneficial use 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 *JUNE 16 2016*

*E. Timothy Wallin*

E. Timothy Wallin, Water Rights Program Manager  
for Thomas M. Byler, Director

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**SEP 03 2024**  
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