

Roaring Spring Ranch
Hydro Project

CERTS + MAPS

**STATE OF OREGON
COUNTY OF HARNEY
HYDROELECTRIC LICENSE**

THIS HYDROELECTRIC LICENSE ISSUED TO:

ROARING SPRINGS RANCH, INC (Licensee)
31437 HIGHWAY 205
FRENCHGLEN, OR 97736

confirms the right to use the waters of THREE MILE SPRINGS, tributary to THREE MILE CREEK for the HYDROELECTRIC PRODUCTION of 24 THEORETICAL HORSEPOWER (THP).

This hydroelectric license was filed under application HE 610. The date of priority is JULY 22, 2014. The maximum amount of water to be diverted is 1.0 CUBIC FEET PER SECOND (CFS) from JANUARY through DECEMBER of each year.

The point of diversion is located: Tax Lot 200, SE¼ NW¼, SECTION 25, TOWNSHIP 35 SOUTH, RANGE 32 EAST, W.M.

The authorized place of use is located: Tax Lot 200, NE¼ SW¼, SECTION 25, TOWNSHIP 35 SOUTH, RANGE 32 EAST, W.M.

The use of water is limited to the amount that the generation facilities can utilize efficiently and shall not exceed the specifications noted in the water right. This water right is inferior in right and subsequent in time to any future appropriation of water for beneficial consumptive use.

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law.

Project Description

The proposed project will be located entirely on the Licensee's property. Water will be collected at Three Mile Spring using a pipe network constructed of four-inch diameter perforated pipes laid within a 3 x 4 foot trench, and covered by 3-inch drain rock. This pipe network will divert water from Three Mile Spring into a spring box. This spring box will be a precast concrete structure measuring 48" by 60," and act as the spring manifold, capturing the spring water as it surfaces. The spring box will be at an approximate elevation of 4,867 feet.

The outlet from the spring box will be a six-inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,800 feet in length and will drop 210 feet in elevation to a 12 foot square hydropower plant equipped with a Pelton-type turbine with double nozzles and a customized induction generator. After passing through the turbine, the water will discharge approximately 180 feet into Three Mile Creek, which runs into Three Mile Reservoir.

The proposed project will connect to existing overhead transmission lines which are located near the powerhouse.

LICENSE CONDITIONS

1. The Licensee shall comply with all statutes and rules applicable to the Project.
2. This hydroelectric license is effective from the date of issuance through December 31, 2035, and is to be exercised consistent with the conditions contained in the license. This right may be reauthorized under laws existing at that time.
3. The Licensee shall construct and build the Project according to the maps, plans and specifications filed with and approved by Oregon Water Resources Department (OWRD) within two years of issuance of the license or within any lawful extension thereof. [ORS 543.300(2)]
4. The Licensee will maintain the Project, and each part thereof, in good order and repair and in efficient operation, for the development and transmission of electricity to its reasonable capacity; shall make all necessary renewals and replacements as required; and shall maintain and operate the Project, and all parts thereof, conformably to the rules of the Water Right Commission (Commission) not inconsistent with Oregon Revised Statutes (ORS) 543.010 to 543.610. [ORS 543.300(4)]
5. No voluntary transfer of the license or of any property acquired, constructed or operated pursuant to the license issued under ORS 543.010 to 543.610 shall be made without written approval of the Commission. Any successor or assignee of

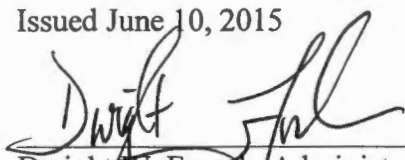
any license under any Project acquired, constructed or operated by the Licensee, whether by voluntary transfer approved by the Commission or sale upon foreclosure, execution or otherwise, shall be subject to all the terms and conditions of the license and of the provisions of ORS 543.010 to 543.610 to the same extent as though the successor or assignee was the original Licensee thereunder. Any mortgage, deed of trust, or other lien suffered or created upon any such Project shall be subject and subordinate to all the terms and conditions of ORS 543.010 to 543.610. However, the provisions of this section shall not apply to any transfer, voluntary or involuntary, to the state or any municipal corporation thereof, and upon such transfer the license shall terminate. (ORS 543.440)

6. The Project must meet the water quality standards stated in OAR Chapter 340, Division 41, ORS 468B.048, and Section 303 of the Clean Water Act. The Project must meet water quality requirements including numeric and narrative standards, protect beneficial use, and not degrade existing water quality.
7. The Project shall be designed to minimize visual, aesthetic, and noise impacts.
8. If any cultural material is discovered during Project construction, all activities should stop and an archaeologist contacted to assess the discovery. It is a Class B misdemeanor to impact an archaeological site (ORS 358.905-955) and a Class C felony to impact Indian Burials (ORS 97-740-990).
9. If at any time an unanticipated situation arises in which the Licensee or operator observes or suspects that fish, wildlife, or their habitat may be harmed by any of the project facilities, or as the result of project operation, the operator shall immediately take appropriate action to prevent further loss. The operator shall, within 24 hours, notify the nearest office of the Oregon Department of Fish and Wildlife (ODFW) and comply with the measures required by ODFW to prevent additional injury or mortality. The Licensee shall subsequently restore any damaged fish and wildlife protection features of the project consistent with direction provided by ODFW.
10. The Licensee shall allow the OWRD Director and authorized agents and employees of the Oregon Department of Environmental Quality, ODFW, and OWRD free and unrestricted access upon reasonable notice, in, through, and across the Project in the performance of their official duties, and shall allow free access to all reports, accounts, records, and other data relating to said Project.
11. Issuance of the license does not absolve the Licensee from compliance with the requirements and enforcement of the requirements under other applicable local, state, and federal laws. The Licensee is made aware that permits may be required from the United State Army Corps of Engineers under Section 404 of the Clean Water Act, or from the Division of State Lands for removal and fill of material.

12. The Licensee shall be liable for all damages occasioned to the persons or property of others by the construction, operation, or maintenance of the Project facilities, and in no event will the State of Oregon be liable therefore.
13. Use of water is governed by this license. However, the operations of the Project by the Licensee, so far as those operations affect the use, storage and discharge from storage of waters affected by the Licensee, shall be at all times be controlled by such reasonable rules as the Commission may prescribe for the protection of life, health and property, and in the interest of the fullest practicable conservation and utilization of such waters for power purposes and for other beneficial public uses. [ORS 543.300(3)]
14. The Licensee shall pay, upon receiving an invoice from OWRD, an annual fee to OWRD in the amount of \$24.00 (OAR 690-051-0400(6) and ORS 543A.415 or subsequent statute). This amount shall be due by the date specified on the invoice.
15. Consistent with ORS 540.610, if after completing construction of the Project, the Licensee fails to use or operate the Project facilities for more than five consecutive years, the license shall be subject to termination by the OWRD. The Licensee shall comply with the decommissioning standards under OAR 690-52.
16. Upon a decision to terminate the hydroelectric use, the Licensee shall comply with any decommissioning statutes and rules in effect at that time. (OAR 690-052).

Upon review of the application and input received from state and federal agencies and private citizens, OWRD finds that the Project, with the conditions set forth above, will not violate the standards expressed in Oregon Administrative Rules (OAR) 690-051-0160 through -0270, and is consistent with the public interest. The Project is well adapted to the development and utilization of the water power involved.

Issued June 10, 2015


Dwight W. French, Administrator
Water Right Services Division, for
Thomas M. Byler, Director
Oregon Water Resources Department

**STATE OF OREGON
COUNTY OF HARNEY
HYDROELECTRIC LICENSE**

THIS HYDROELECTRIC LICENSE ISSUED TO:

ROARING SPRINGS RANCH, INC (Licensee)
31437 HIGHWAY 205
FRENCHGLEN, OR 97736

confirms the right to use the waters of ROARING SPRINGS, tributary to ROARING SPRINGS CREEK for the HYDROELECTRIC PRODUCTION of 84 THEORETICAL HORSEPOWER (THP).

This hydroelectric license was filed under application HE 611. The date of priority is JULY 22, 2014. The maximum amount of water to be diverted is 6.0 CUBIC FEET PER SECOND (CFS) from JANUARY through DECEMBER of each year.

The point of diversion is located: Tax Lot 200, NE¼ NW¼, SECTION 5, TOWNSHIP 34 SOUTH, RANGE 32 EAST, W.M.

The authorized place of use is located: Tax Lot 200, NW¼ NW¼, SECTION 5, TOWNSHIP 34 SOUTH, RANGE 32 EAST, W.M.

The use of water is limited to the amount that the generation facilities can utilize efficiently and shall not exceed the specifications noted in the water right. This water right is inferior in right and subsequent in time to any future appropriation of water for beneficial consumptive use.

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law.

Project Description

The proposed project will be located entirely on the Licensee's property. Water will be collected at Roaring Springs using a pipe network constructed of four-inch diameter perforated pipes laid within four foot deep, three feet wide trenches, and covered by 3-inch drain rock. This pipe network will divert water from Roaring Springs into a spring box. This spring box will be a precast concrete structure measuring 48" by 60," and act as the spring manifold, capturing the spring water as it surfaces. The spring box will be at an approximate elevation of 4,711 feet.

The outlet from the spring box will be a ten-inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,000 feet in length and will drop 123 feet in elevation to a 14' by 17' powerhouse. The water will pass through a dual nozzle Pelton turbine with a 600 rpm induction generator with a capability of 37 kw. The water will discharge approximately 40 feet into in a "bulge" pond that the ranch uses for irrigation and stock use under water right Certificate 23498. The pond discharges into an unnamed stream, tributary to Roaring Springs Creek located on the Applicant's property about ¼ mile from the pond. The proposed project will connect to existing overhead transmission lines which are located near the powerhouse.

LICENSE CONDITIONS

1. The Licensee shall comply with all statutes and rules applicable to the Project.
2. This hydroelectric license is effective from the date of issuance through December 31, 2035, and is to be exercised consistent with the conditions contained in the license. This right may be reauthorized under laws existing at that time.
3. The Licensee shall construct and build the Project according to the maps, plans and specifications filed with and approved by Oregon Water Resources Department (OWRD) within two years of issuance of the license or within any lawful extension thereof. [ORS 543.300(2)]
4. The Licensee will maintain the Project, and each part thereof, in good order and repair and in efficient operation, for the development and transmission of electricity to its reasonable capacity; shall make all necessary renewals and replacements as required; and shall maintain and operate the Project, and all parts thereof, conformably to the rules of the Water Right Commission (Commission) not inconsistent with Oregon Revised Statutes (ORS) 543.010 to 543.611. [ORS 543.300(4)]
5. No voluntary transfer of the license or of any property acquired, constructed or operated pursuant to the license issued under ORS 543.010 to 543.611 shall be made without written approval of the Commission. Any successor or assignee of

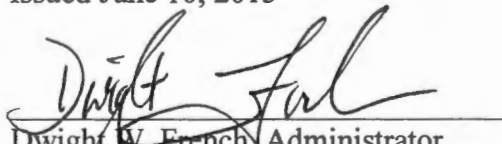
any license under any Project acquired, constructed or operated by the Licensee, whether by voluntary transfer approved by the Commission or sale upon foreclosure, execution or otherwise, shall be subject to all the terms and conditions of the license and of the provisions of ORS 543.010 to 543.611 to the same extent as though the successor or assignee was the original Licensee thereunder. Any mortgage, deed of trust, or other lien suffered or created upon any such Project shall be subject and subordinate to all the terms and conditions of ORS 543.010 to 543.611. However, the provisions of this section shall not apply to any transfer, voluntary or involuntary, to the state or any municipal corporation thereof, and upon such transfer the license shall terminate. (ORS 543.440)

6. The Project must meet the water quality standards stated in OAR Chapter 340, Division 41, ORS 468B.048, and Section 303 of the Clean Water Act. The Project must meet water quality requirements including numeric and narrative standards, protect beneficial use, and not degrade existing water quality.
7. The Project shall be designed to minimize visual, aesthetic, and noise impacts.
8. If any cultural material is discovered during Project construction, all activities should stop and an archaeologist contacted to assess the discovery. It is a Class B misdemeanor to impact an archaeological site (ORS 358.905-955) and a Class C felony to impact Indian Burials (ORS 97-740-990).
9. If at any time an unanticipated situation arises in which the Licensee or operator observes or suspects that fish, wildlife, or their habitat may be harmed by any of the project facilities, or as the result of project operation, the operator shall immediately take appropriate action to prevent further loss. The operator shall, within 84 hours, notify the nearest office of the Oregon Department of Fish and Wildlife (ODFW) and comply with the measures required by ODFW to prevent additional injury or mortality. The Licensee shall subsequently restore any damaged fish and wildlife protection features of the project consistent with direction provided by ODFW.
10. The Licensee shall allow the OWRD Director and authorized agents and employees of the Oregon Department of Environmental Quality, ODFW, and OWRD free and unrestricted access upon reasonable notice, in, through, and across the Project in the performance of their official duties, and shall allow free access to all reports, accounts, records, and other data relating to said Project.
11. Issuance of the license does not absolve the Licensee from compliance with the requirements and enforcement of the requirements under other applicable local, state, and federal laws. The Licensee is made aware that permits may be required from the United State Army Corps of Engineers under Section 404 of the Clean Water Act, or from the Division of State Lands for removal and fill of material.

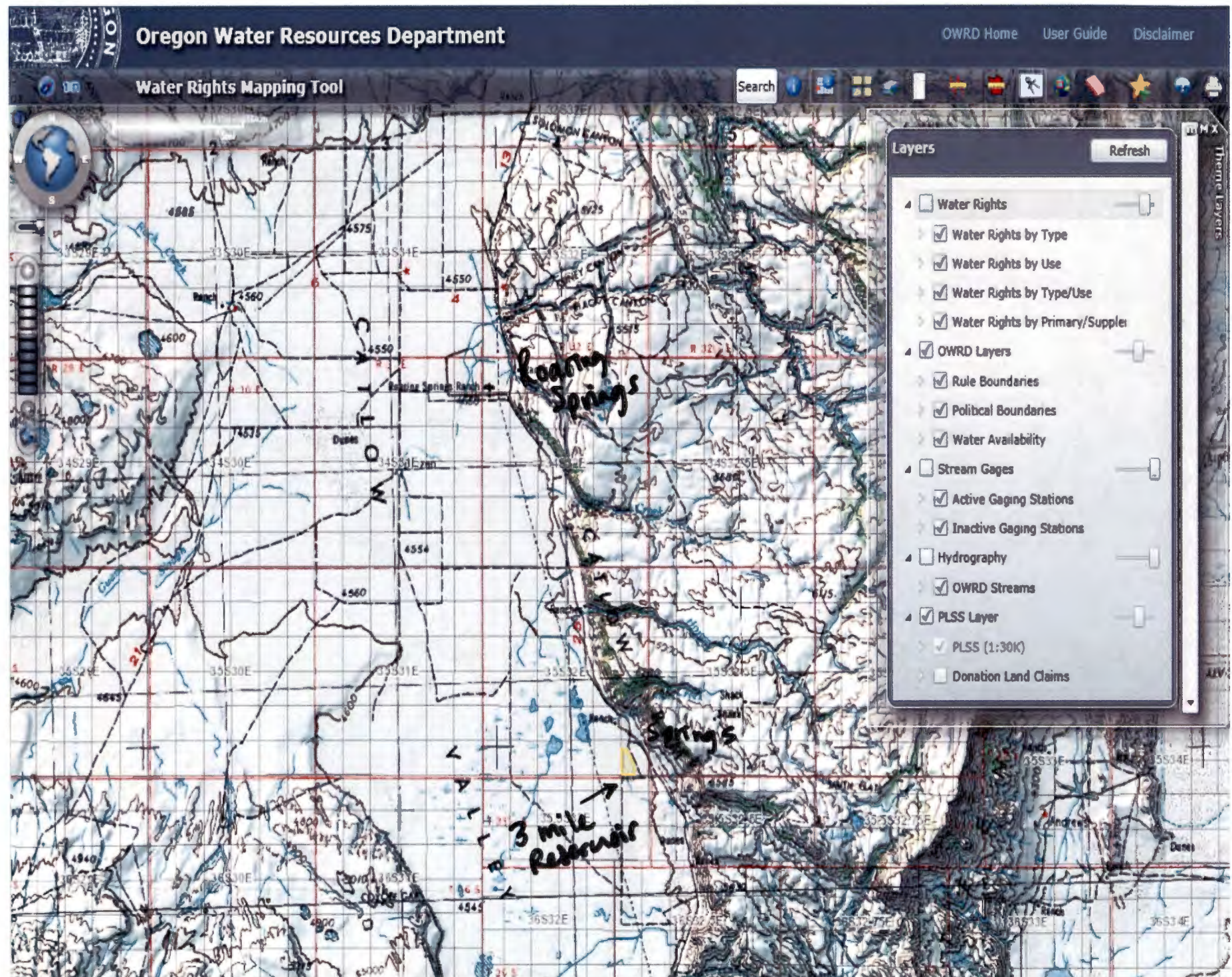
- 6
12. The Licensee shall be liable for all damages occasioned to the persons or property of others by the construction, operation, or maintenance of the Project facilities, and in no event will the State of Oregon be liable therefore.
 13. Use of water is governed by this license. However, the operations of the Project by the Licensee, so far as those operations affect the use, storage and discharge from storage of waters affected by the Licensee, shall be at all times be controlled by such reasonable rules as the Commission may prescribe for the protection of life, health and property, and in the interest of the fullest practicable conservation and utilization of such waters for power purposes and for other beneficial public uses. [ORS 543.300(3)]
 14. The Licensee shall pay, upon receiving an invoice from OWRD, an annual fee to OWRD in the amount of \$36.80 (OAR 690-051-0400(6) and ORS 543A.415 or subsequent statute). This amount shall be due by the date specified on the invoice.
 15. Consistent with ORS 540.610, if after completing construction of the Project, the Licensee fails to use or operate the Project facilities for more than five consecutive years, the license shall be subject to termination by the OWRD. The Licensee shall comply with the decommissioning standards under OAR 690-52.
 16. Upon a decision to terminate the hydroelectric use, the Applicant shall comply with any decommissioning statutes and rules in effect at that time. (OAR 690-052).

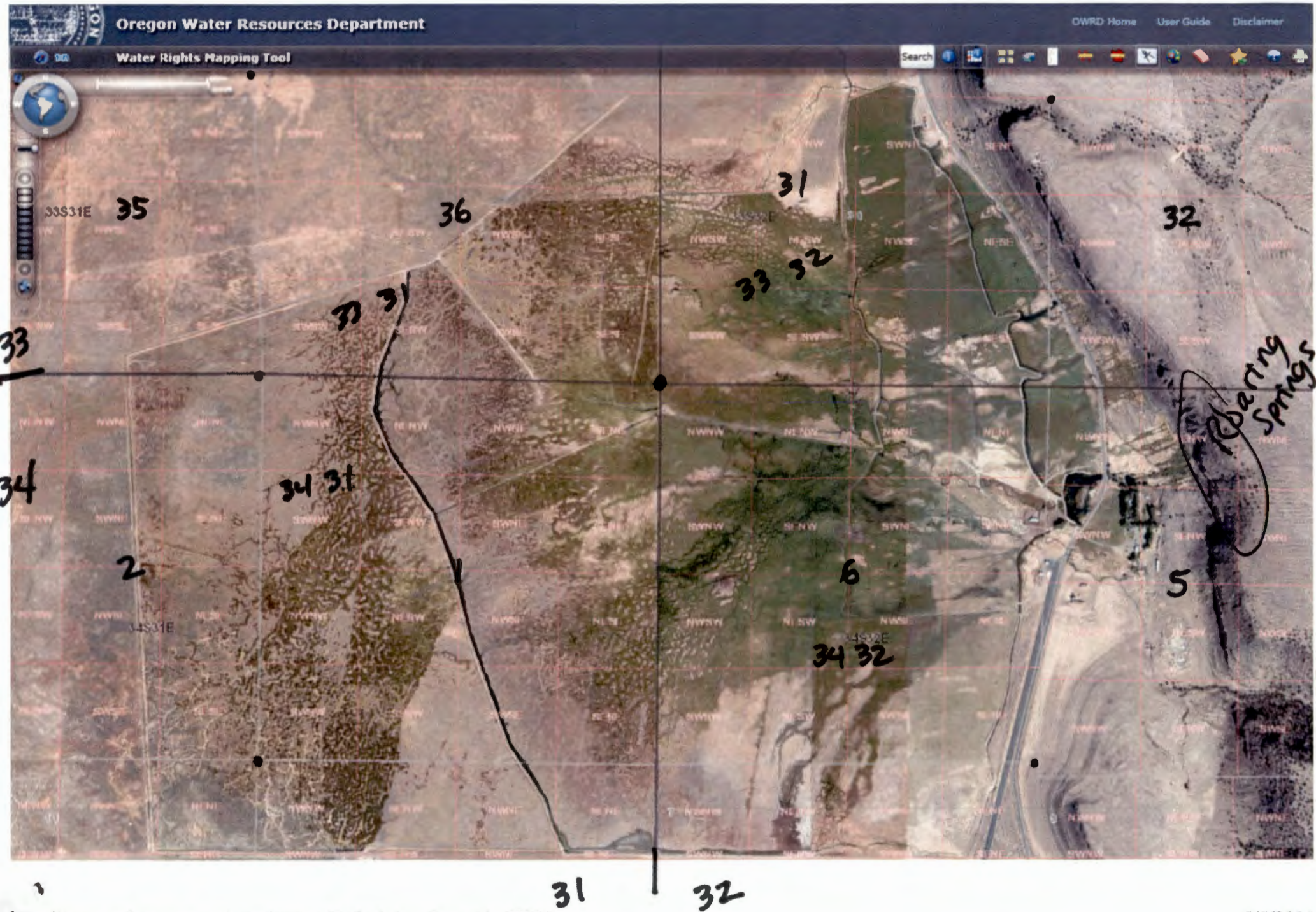
Upon review of the application and input received from state and federal agencies and private citizens, OWRD finds that the Project, with the conditions set forth above, will not violate the standards expressed in Oregon Administrative Rules (OAR) 690-051-0160 through -0270, and is consistent with the public interest. The Project is well adapted to the development and utilization of the water power involved.

Issued June 10, 2015



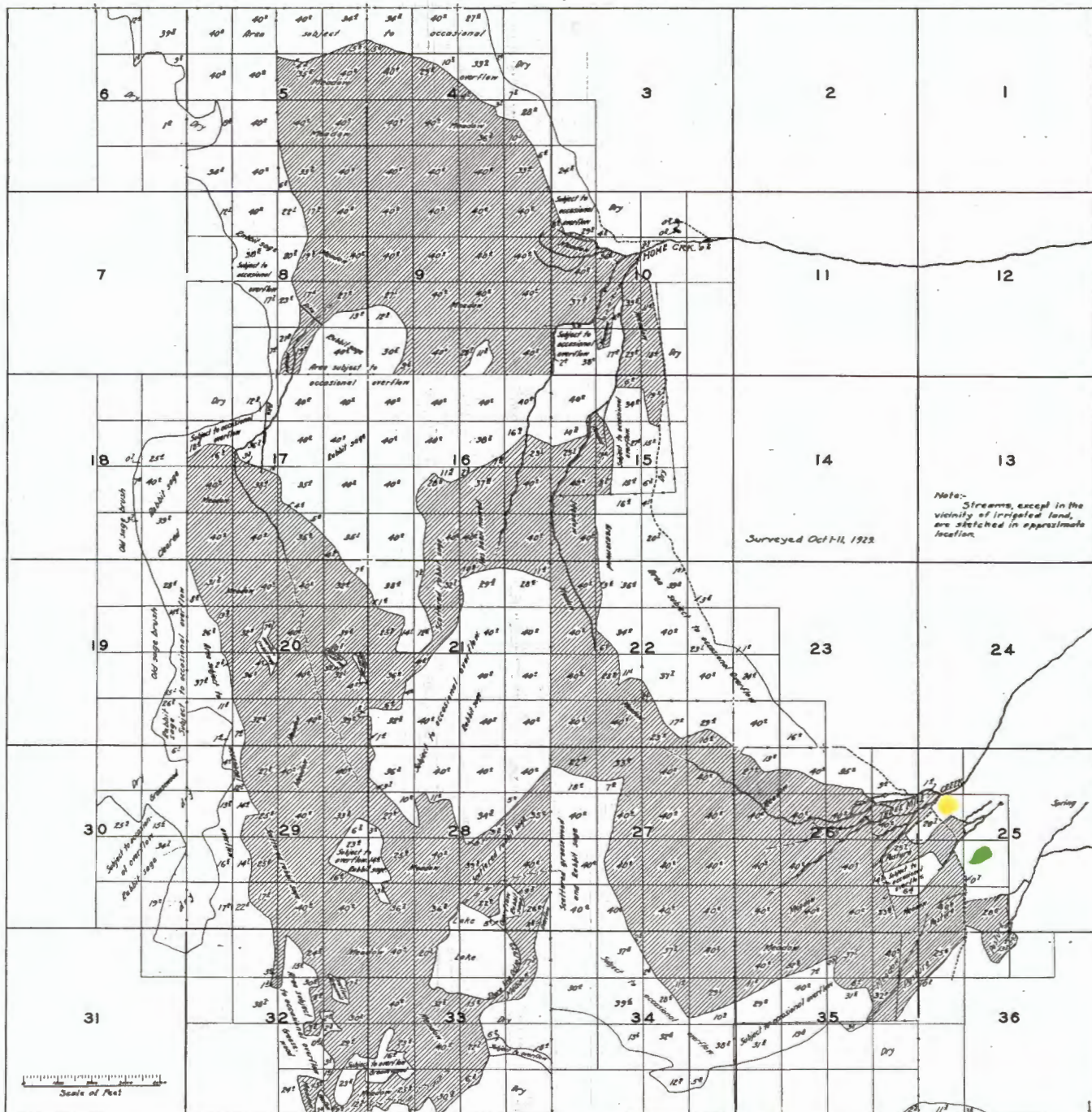
Dwight W. French, Administrator
Water Right Services Division, for
Thomas M. Byler, Director
Oregon Water Resources Department





TOWNSHIP 35 S., RANGE 32 E.

41-3-1



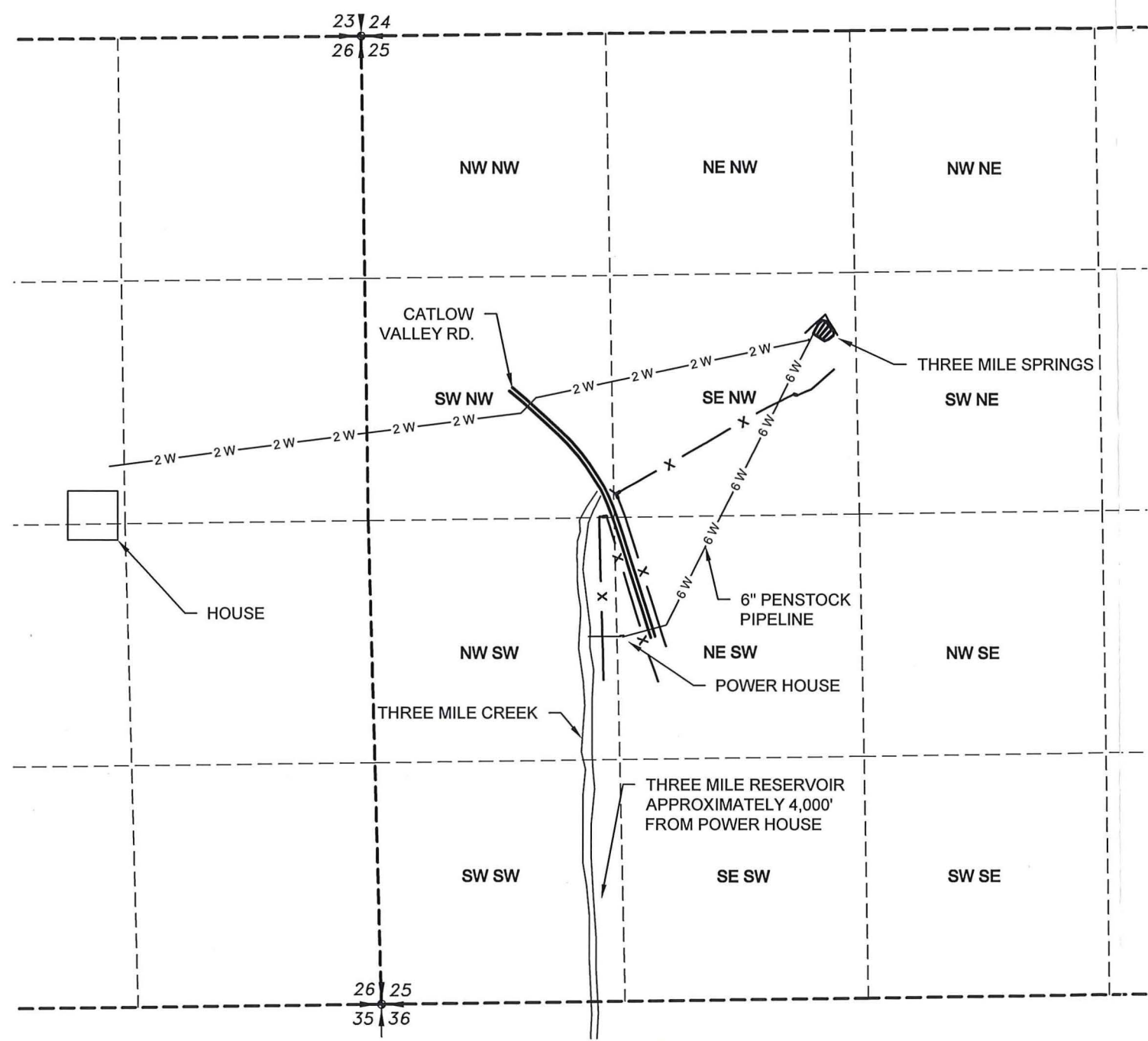
HE610

● = POD

● = POW

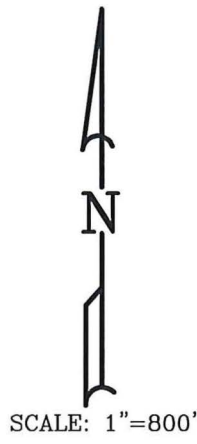
MAP TO ACCOMPANY
WATER RIGHT APPLICATION
FOR
ROARING SPRINGS RANCH, INC.

SECTIONS 25
TOWNSHIP 35 SOUTH RANGE 32 EAST
HARNEY COUNTY, OREGON



LEGEND

- SECTION LINE
- 1/4 SECTION LINE



RENEWAL 12/31/15

RECEIVED BY OWRD
JUL 22 2014
SALEM, OR

APPLICATION NO. _____

PERMIT NO. _____

NOTE:
PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED
WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE
LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.

HE 610

REVISION	BY

ANDERSON ENGINEERING
AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1896

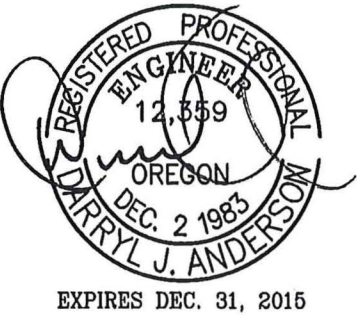
PROJECT MAP
THREE MILE HYDRO POWER
FRENCHGLEN, OREGON

DATE:	06/19/2014
SCALE:	1" = 800'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	1

ROARING SPRINGS RANCH
THREE MILE HYDRO POWER PROJECT
HARNEY COUNTY
FRENCHGLEN, OREGON

INDEX OF DRAWINGS

COVER SHEET	SHEET C-0
SITE PLAN	SHEET C-1
SPRING NETWORK	SHEET C-2
LOWER SYSTEM PLAN	SHEET C-3
POWER HOUSE	SHEET C-4
TRENCH DETAIL	SHEET C-5
SPRING BOX DETAIL	SHEET C-6



REVISION	BY

ANDERSON ENGINEERING
AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON
97630
(541) 947-4407
FAX: 947-2321

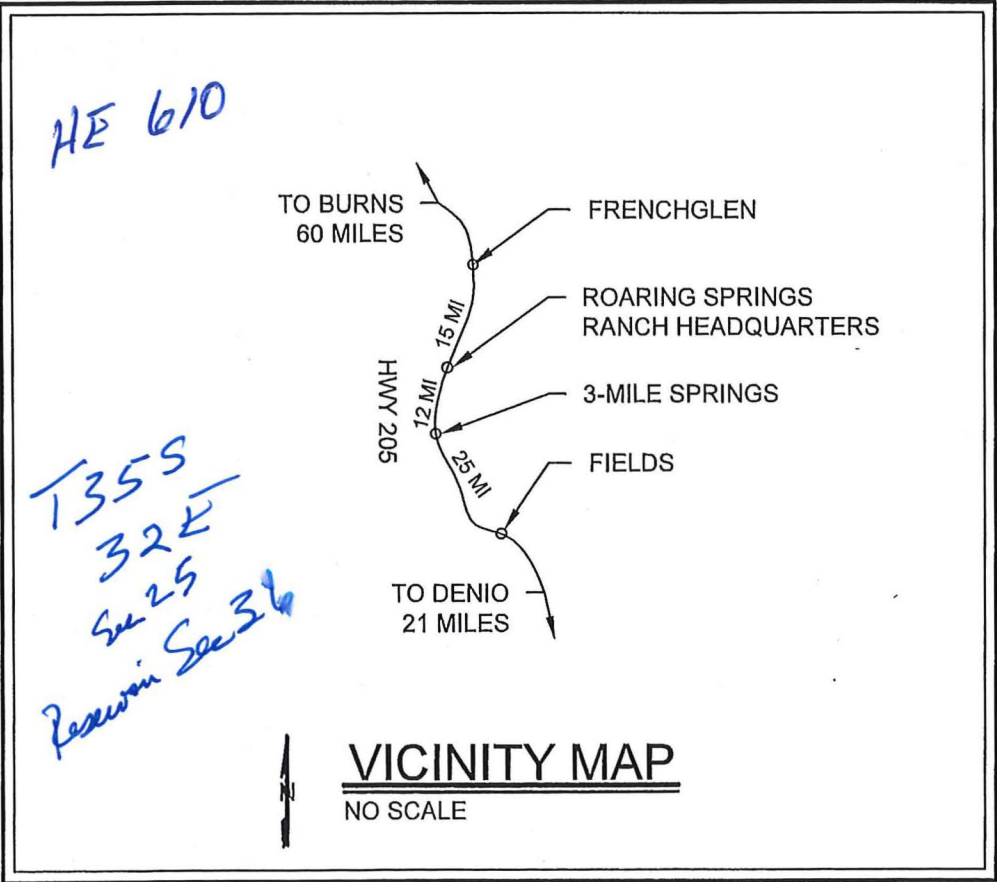
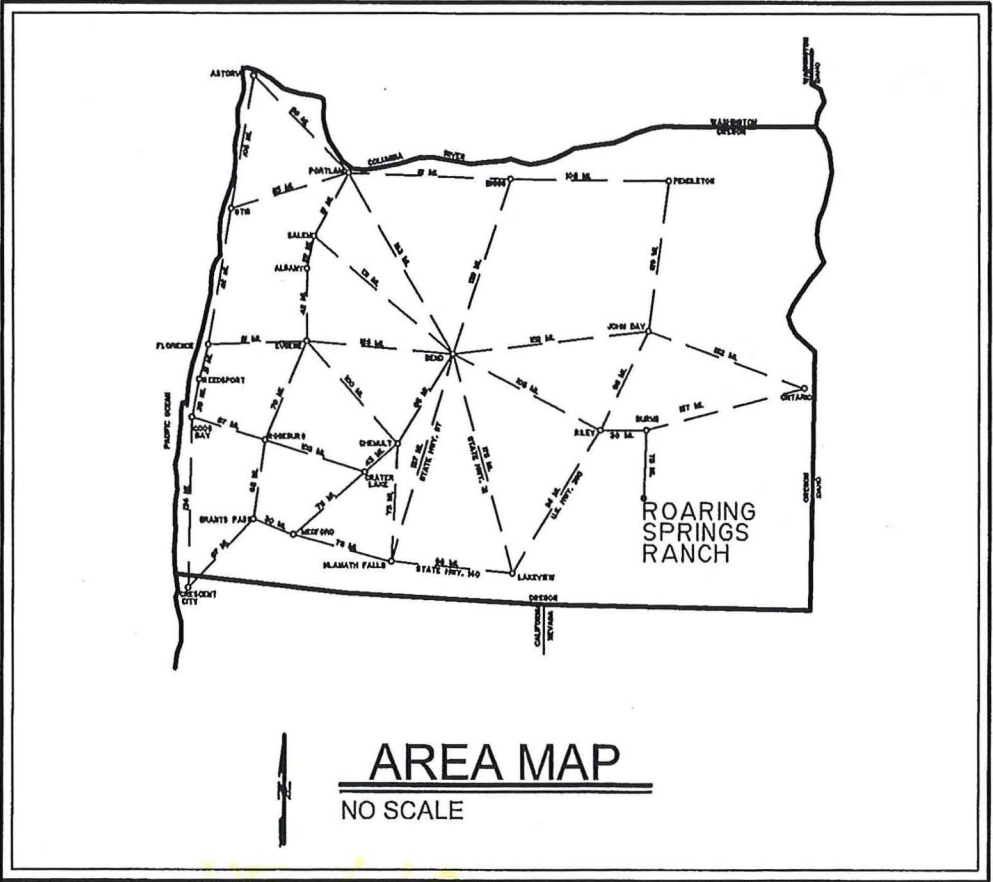
FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1869

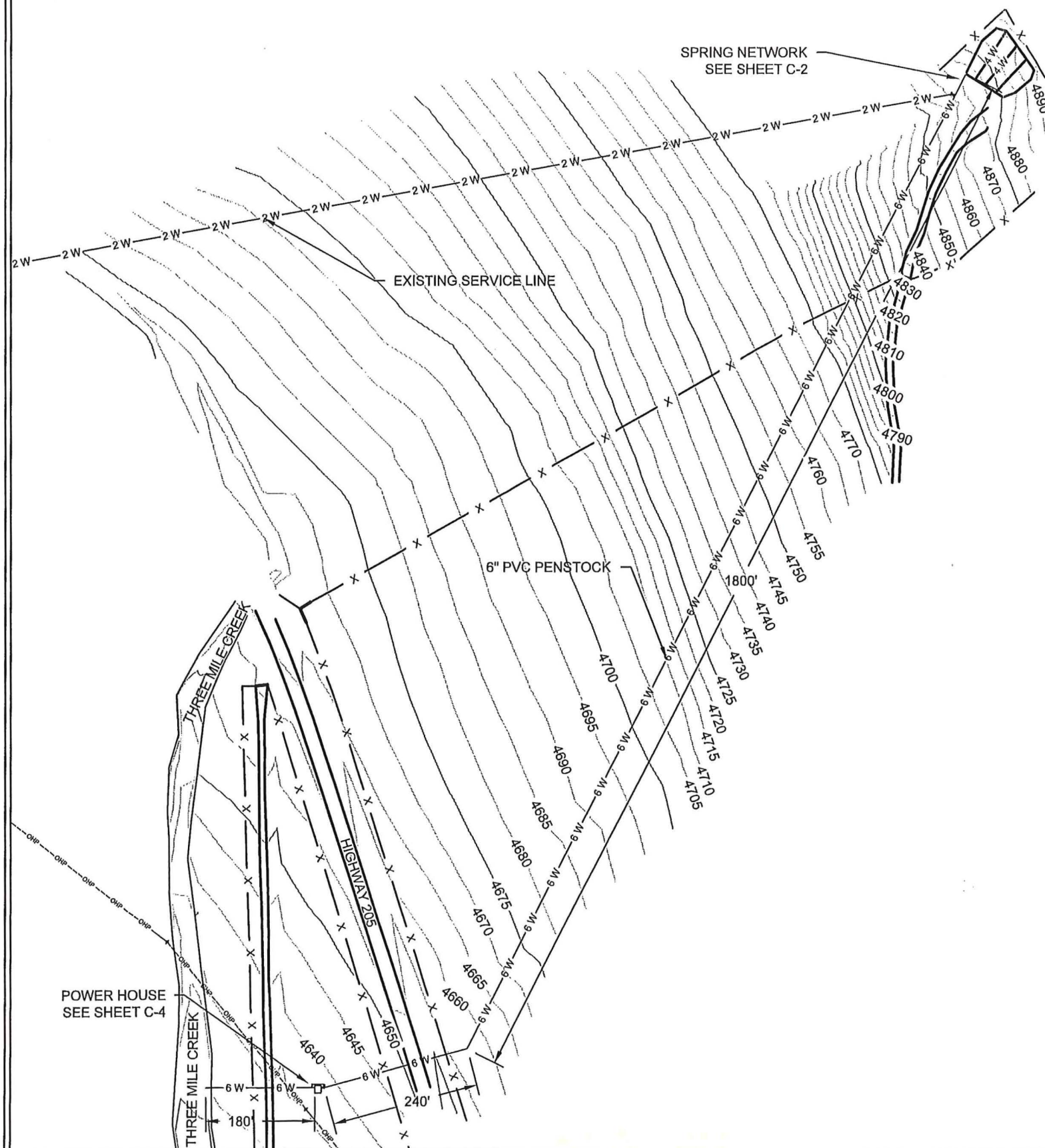
COVER SHEET
THREE MILE HYDRO POWER
FRENCHGLEN OREGON

DATE:	03/13/2014
SCALE:	NO SCALE
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-0

GENERAL NOTES

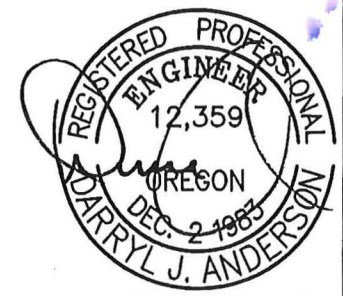
- 1.) TRENCH BACKFILL SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND THE SPECIFICATIONS. ALL MATERIAL SHALL BE APPROVED BY ENGINEER PRIOR TO INSTALLATION.
- 2.) CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI @ 28 DAYS. STEEL REINFORCING ANCHORS SHALL BE NO. 4 GRADE 40 DEFORMED BAR CONFORMING TO ASTM-615.





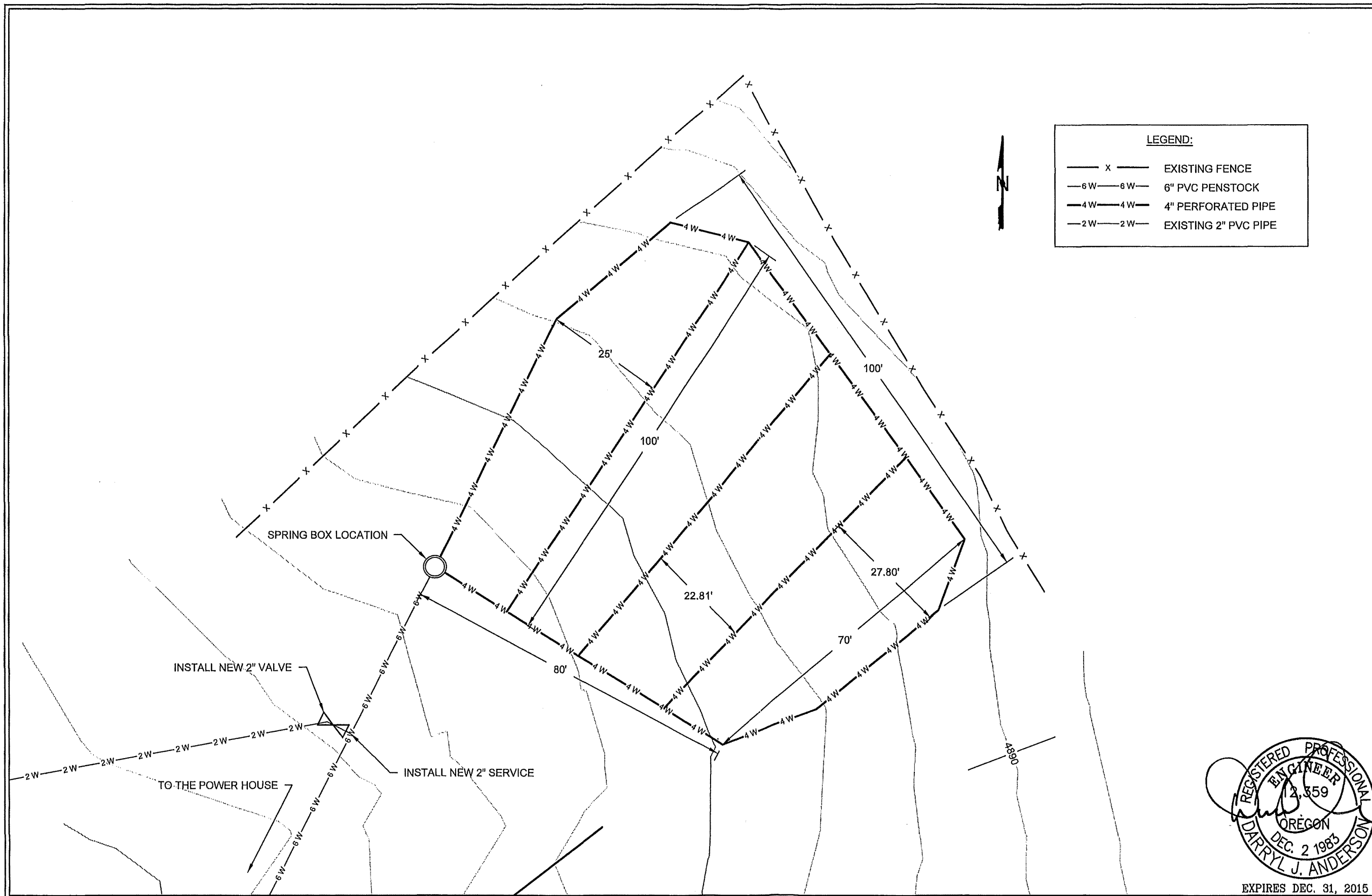
LEGEND:

— X —	EXISTING FENCE
— 6 W — 6 W —	6" PVC PENSTOCK
— 4 W — 4 W —	4" PERFORATED PIPE
— 2 W — 2 W —	2" PVC WATER LINE
--- OHP --- OHP --- OHP ---	OVER HEAD POWER LINE

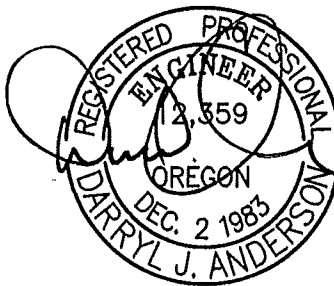


EXPIRES DEC. 31, 2015

REVISION		BY
ANDERSON ENGINEERING AND SURVEYING, INC. P.O. BOX 28 LAKEVIEW, OREGON 97630 (541) 947-4407 FAX: 947-2321		
FOR: ROARING SPRINGS RANCH 31434 HWY 205 FRENCHGLEN, OR 97736 541-589-1896		
SITE PLAN THREE MILE HYDRO POWER FRENCHGLEN, OREGON		
DATE: 03/13/2014 SCALE: 1" = 200' DWG. BY: A.C.K. JOB: 2013-111 FILE: 2013-111 SHEET: C-1		



LEGEND:		
— X —		EXISTING FENCE
— 6 W — 6 W —		6" PVC PENSTOCK
— 4 W — 4 W —		4" PERFORATED PIPE
— 2 W — 2 W —		EXISTING 2" PVC PIPE



EXPIRES DEC. 31, 2015

REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON
97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1896

**SPRING NETWORK
THREE MILE HYDRO POWER
FRENCHGLEN, OREGON**

DATE:	03/13/2014
SCALE:	1" = 5'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-2

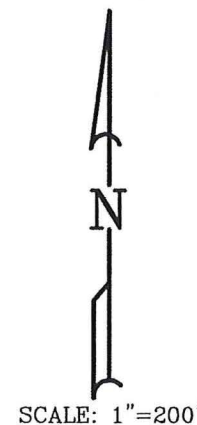
HE611

MAP TO ACCOMPANY
WATER RIGHT APPLICATION
FOR
ROARING SPRINGS RANCH, INC.

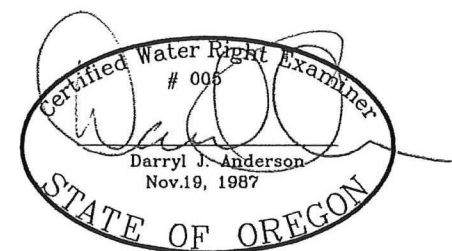
SECTION 5
TOWNSHIP 34 SOUTH RANGE 32 EAST
HARNEY COUNTY, OREGON

LEGEND

----- SECTION LINE
----- 1/4 SECTION LINE



SCALE: 1"=200'



RENEWAL 12/31/15

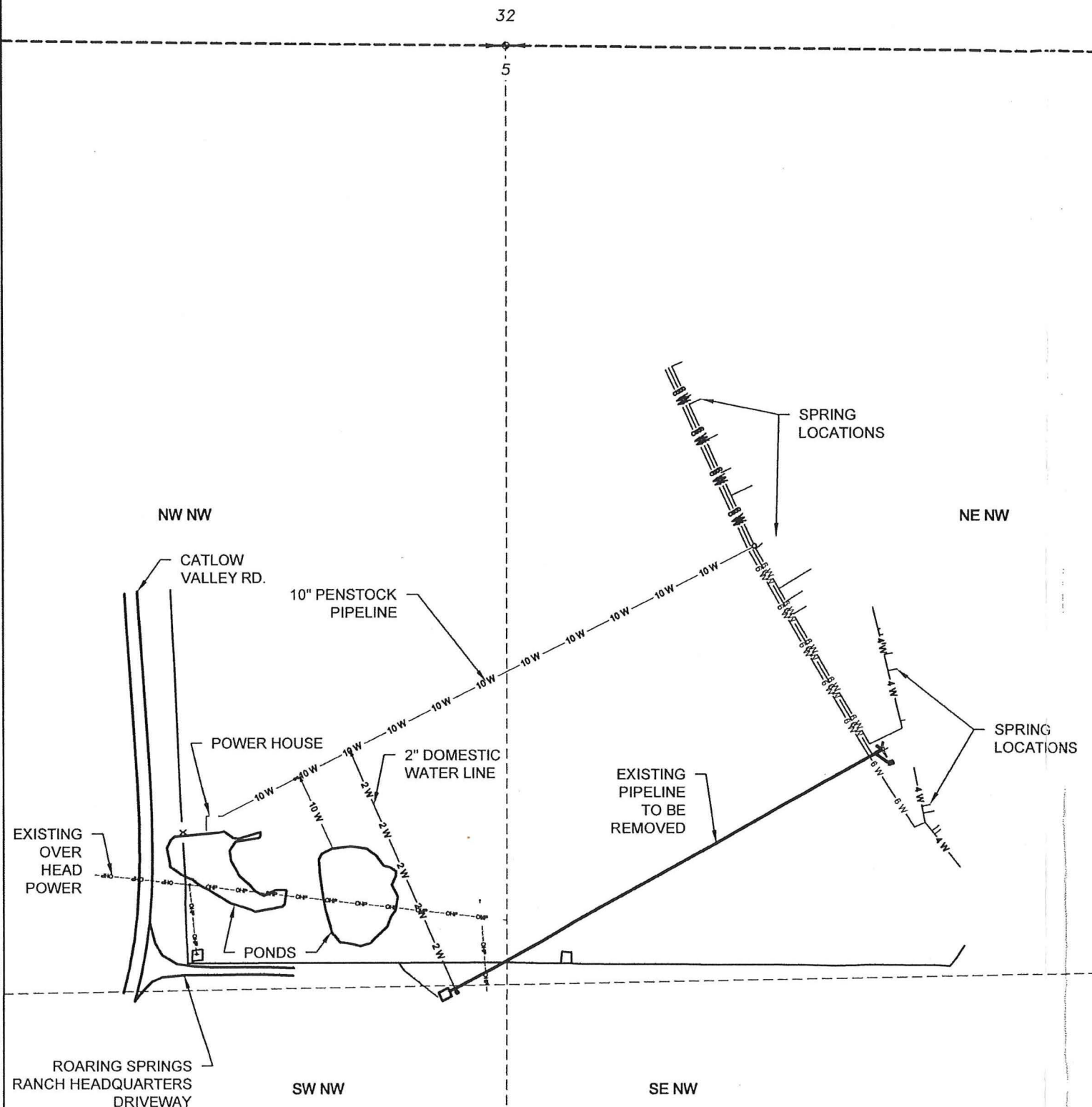
RECEIVED BY OWRD APPLICATION NO. _____

JUL 22 2014

PERMIT NO. _____

SALEM, OR

NOTE:
PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED
WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE
LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.



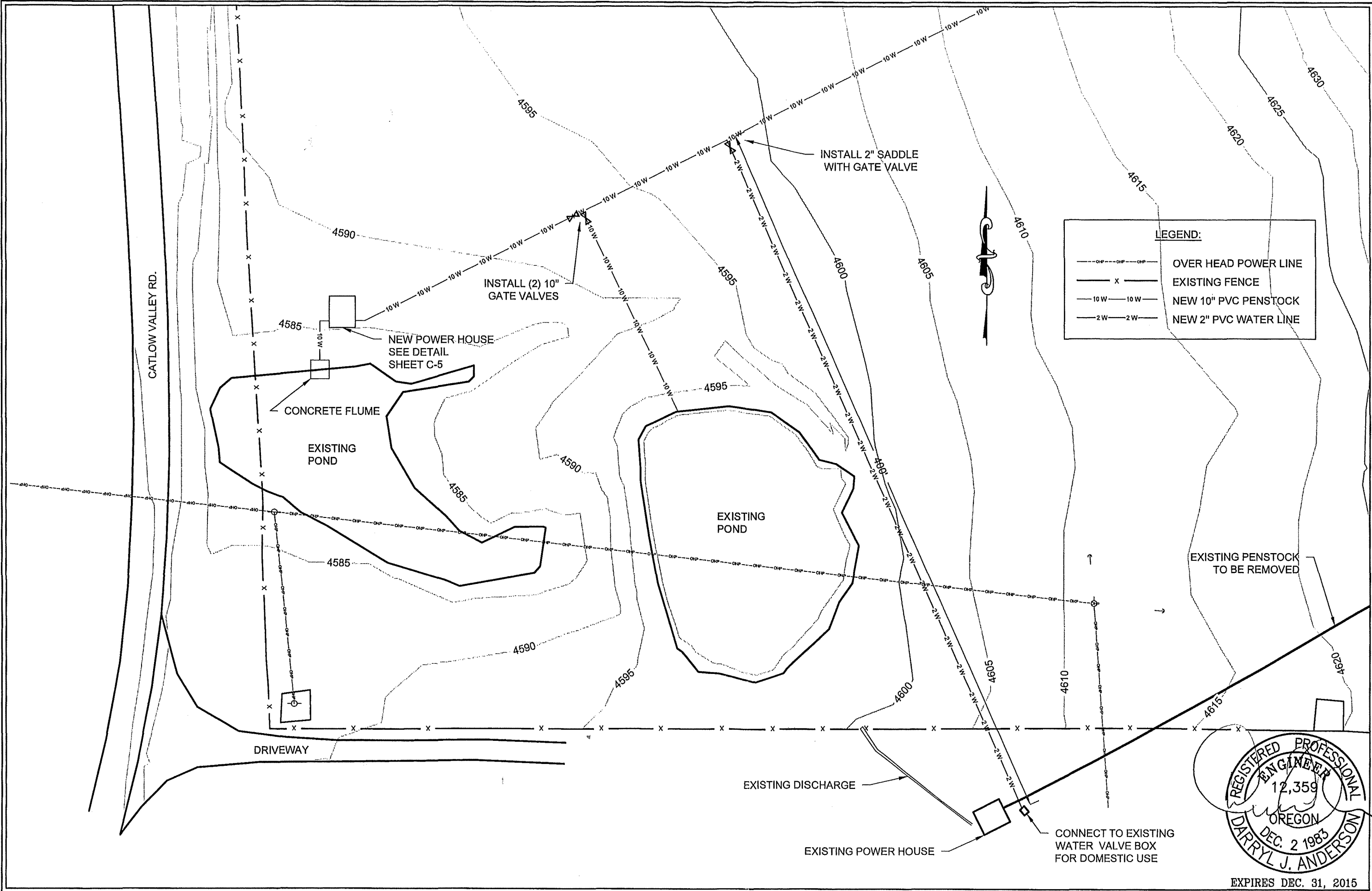
REVISION	BY

ANDERSON ENGINEERING
AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

PROJECT MAP
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON

DATE:	06/19/2014
SCALE:	1" = 200'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	1



REVISION	BY

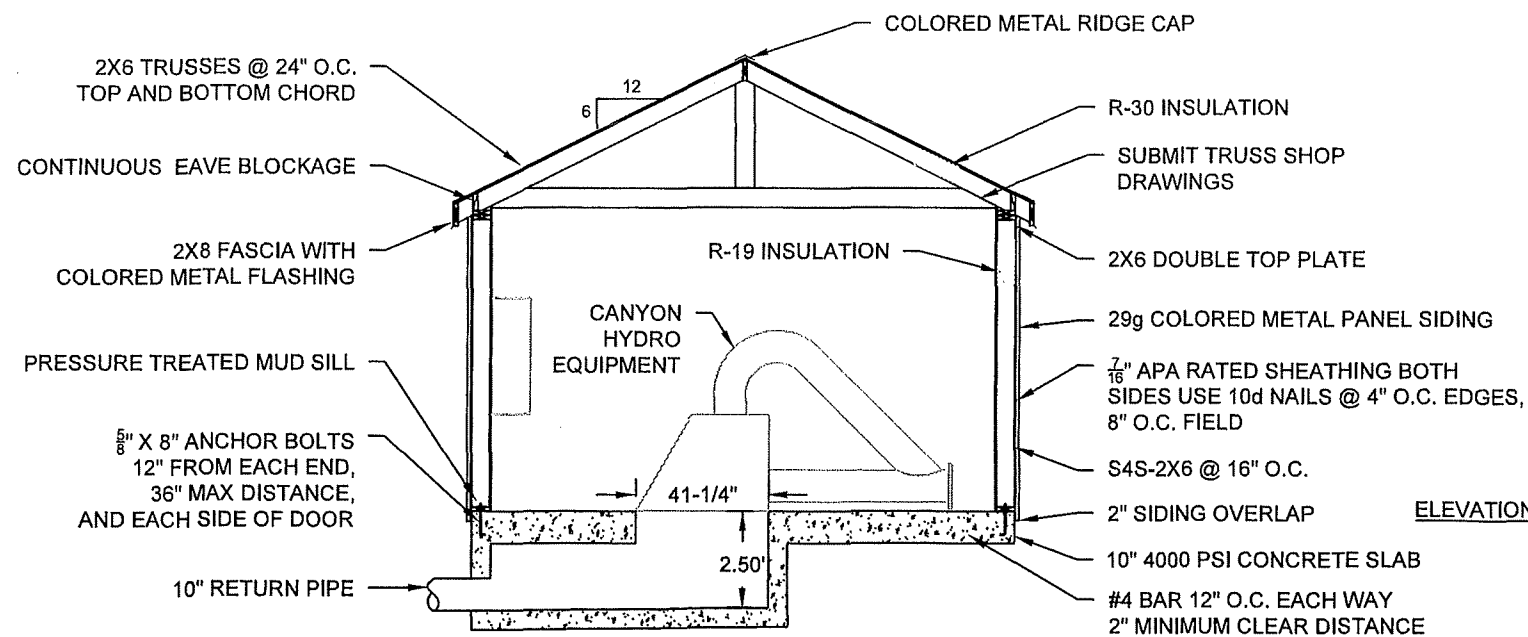
**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

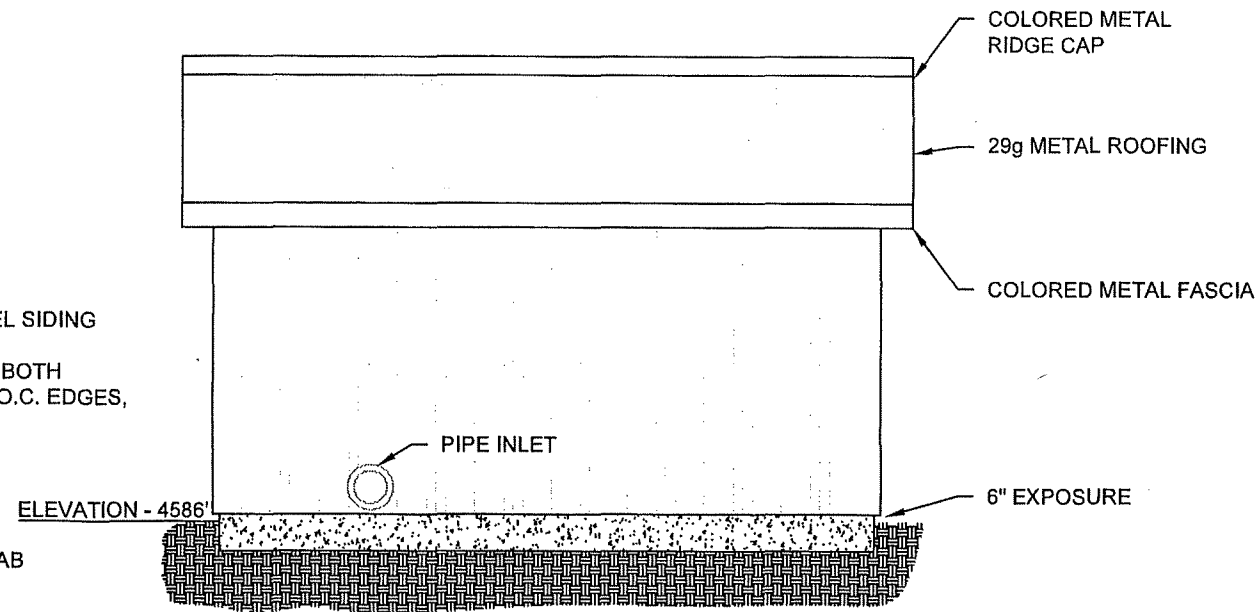
**LOWER SYSTEM PLAN
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON**

DATE:	03/13/2014
SCALE:	1" = 50'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-4

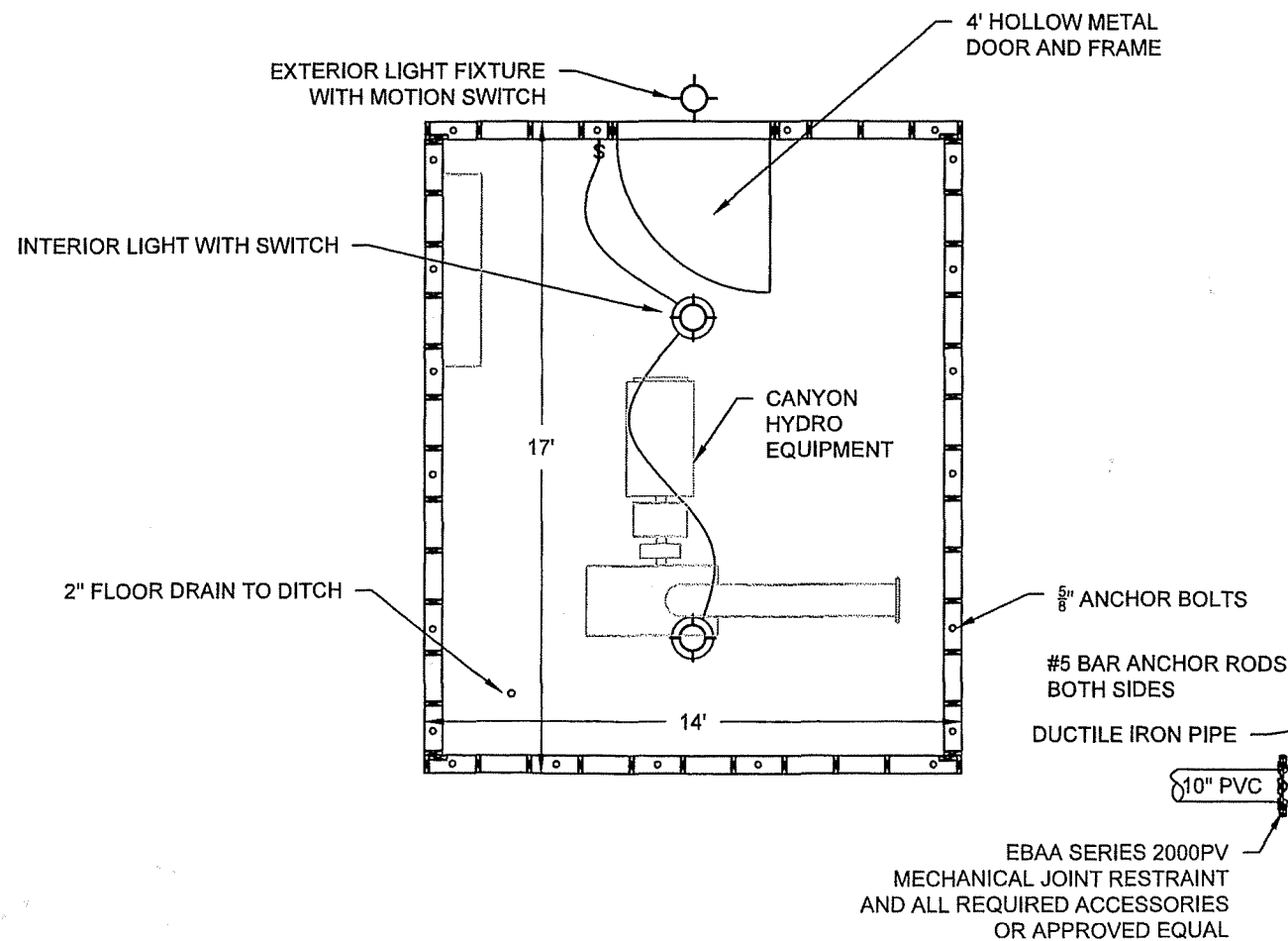
EXPIRES DEC. 31, 2015



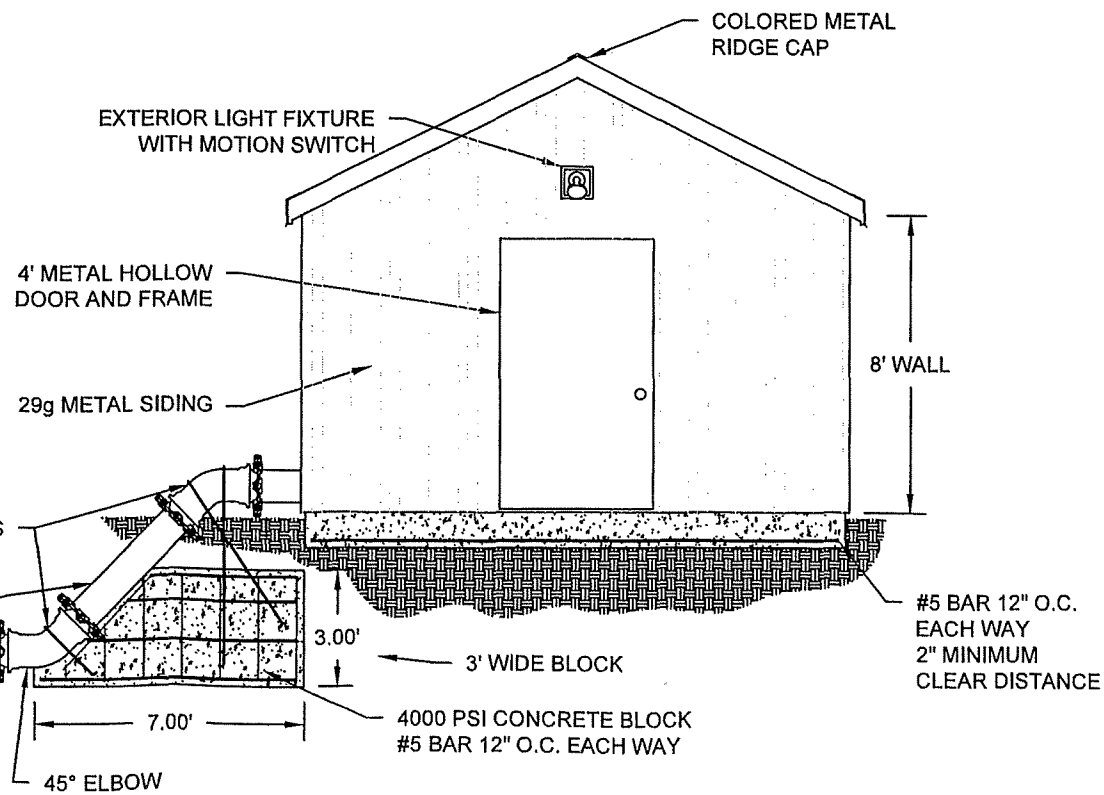
HQ POWER HOUSE SECTION
SCALE: 1" = 5'



HQ POWER HOUSE SIDE VIEW
SCALE: 1" = 5'



HQ POWER HOUSE FLOOR
SCALE: 1" = 5'



HQ POWER HOUSE NORTH SIDE
SCALE: 1" = 5'



REVISION	BY

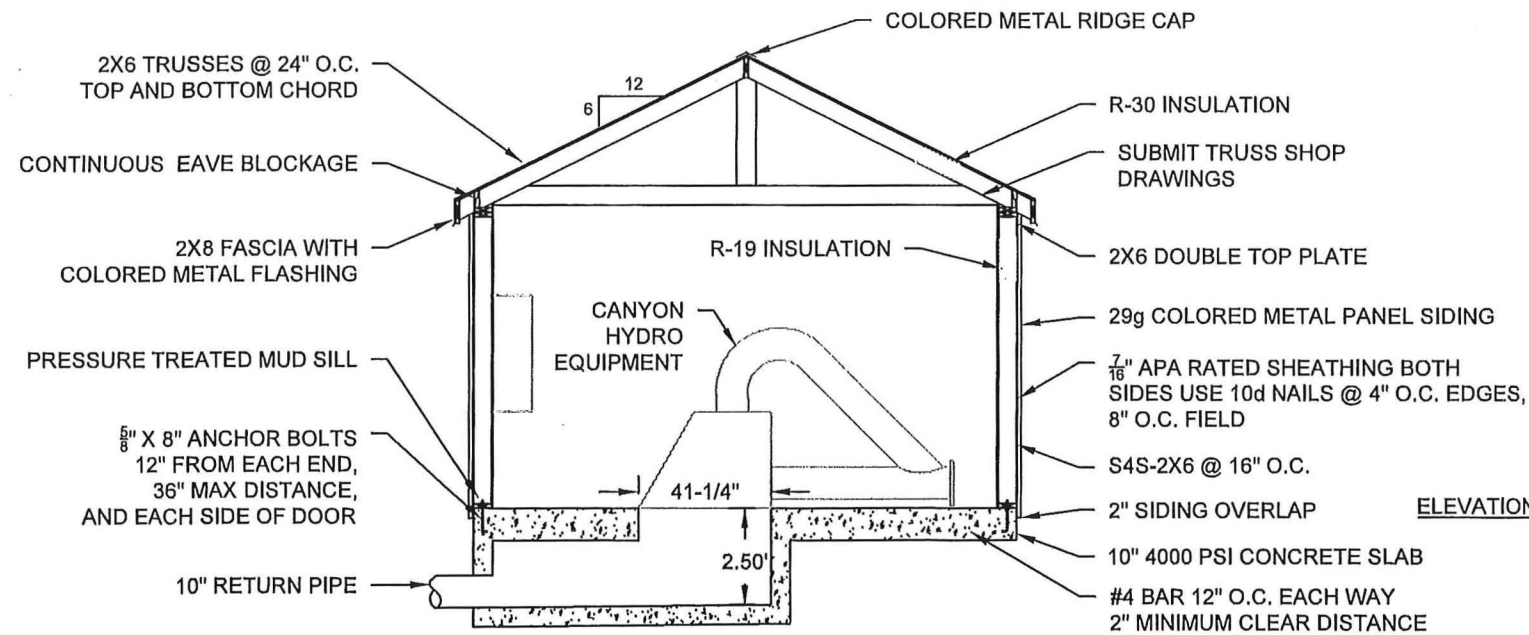
ANDERSON ENGINEERING
AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON
97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

POWER HOUSE
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON

DATE:	03/13/2014
SCALE:	1" = 5'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-5

EXPIRES DEC. 31, 2015



ROARING SPRINGS RANCH
HEADQUARTERS HYDRO POWER PROJECT
HARNEY COUNTY
FRENCHGLEN, OREGON

INDEX OF DRAWINGS

COVER SHEET	SHEET C-S
PLAN VIEW	SHEET C-1
DEVELOPED SPRINGS NORTH	SHEET C-2
DEVELOPED SPRINGS SOUTH	SHEET C-3
LOWER SYSTEM PLAN	SHEET C-4
POWER HOUSE	SHEET C-5
TRENCH DETAIL	SHEET C-6
SPRING BOX DETAIL	SHEET C-7

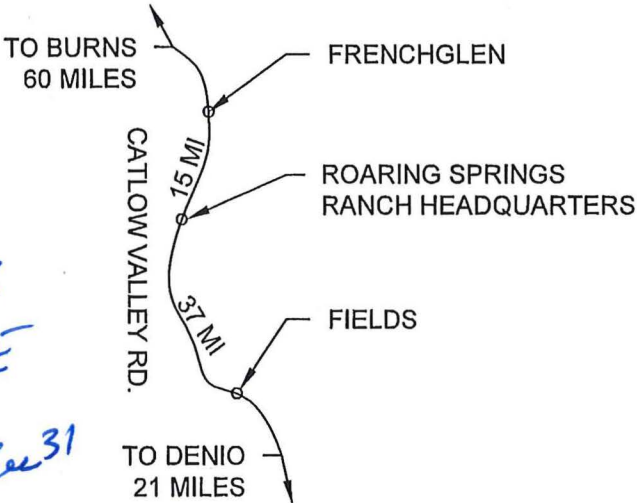


EXPIRES DEC. 31, 2015

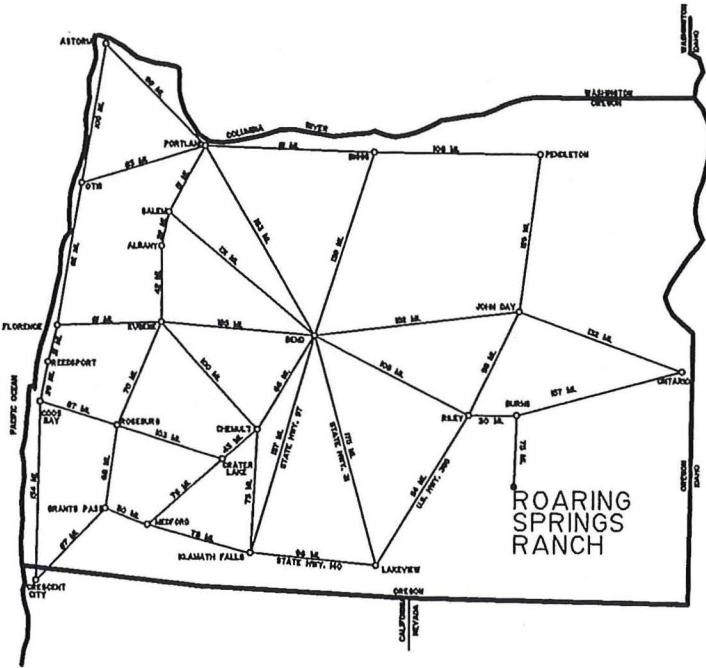
GENERAL NOTES

- 1.) TRENCH BACKFILL SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND THE SPECIFICATIONS. ALL MATERIAL SHALL BE APPROVED BY ENGINEER PRIOR TO INSTALLATION.
2.) CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI @ 28 DAYS. STEEL REINFORCING ANCHORS SHALL BE NO. 5 GRADE 40 DEFORMED BAR CONFORMING TO ASTM-615.

HE 611
T 334345
R 31432E
335 32E S 31



VICINITY MAP
NO SCALE



AREA MAP
NO SCALE

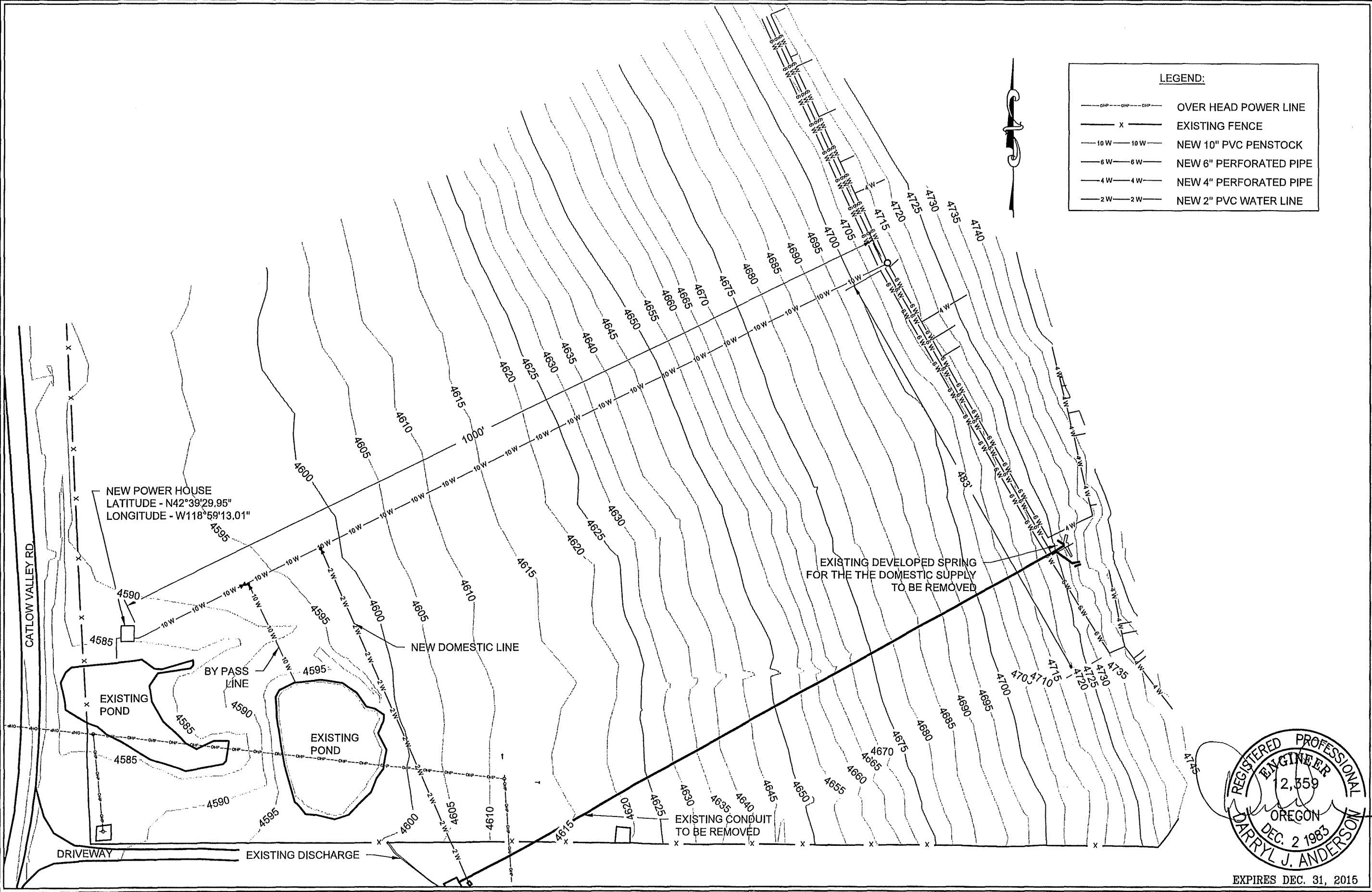
REVISION	BY

ANDERSON ENGINEERING
AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON
97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1896

COVER SHEET
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON

DATE:	03/13/2014
SCALE:	NO SCALE
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-S



LEGEND:

- OVER HEAD POWER LINE
- X — EXISTING FENCE
- 10 W — 10 W — NEW 10" PVC PENSTOCK
- 6 W — 6 W — NEW 6" PERFORATED PIPE
- 4 W — 4 W — NEW 4" PERFORATED PIPE
- 2 W — 2 W — NEW 2" PVC WATER LINE

REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

**PLAN VIEW
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON**



EXPIRES DEC. 31, 2015

DATE:	03/13/2014
SCALE:	1" = 100'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-1

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **141895**

INVOICE #

AR4HE610
AR4HE611

RECEIVED FROM:

Roaring Springs Ranch, Inc.

BY:

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # **X 29633** ☐ OTHER: (IDENTIFY) ☐

TOTAL REC'D \$100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$
\$

OTHER: (IDENTIFY)

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$
\$
\$
\$
\$

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

	\$
	\$

0231 HYDRO LICENSE FEE (FW/WRD)

0246

HYDRO APPLICATION

2 @ \$50.00

\$100.00

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT:

141895

DATED:

11-13-2023

BY:

[Signature]

RECEIVED FROM: Bearing Springs Ranch, Inc.
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER _____

CASH: ☐ CHECK: # X 29633 ☐ OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202
0203 GROUND WATER \$ _____ 0204
0205 TRANSFER \$ _____

EXAM FEE

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219
LANDOWNER'S PERMIT \$ _____ 0220

RECORD FEE

0218 WELL DRILL CONSTRUCTOR \$ _____
LANDOWNER'S PERMIT \$ _____

LICENSE FEE

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
0246 HYDRO APPLICATION \$ 100.00 2 @ \$50.00

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **139540**

INVOICE # **AR3 HE611**

AR3 HE610

RECEIVED FROM: Bearing Springs Ranch, Inc.
BY: _____

APPLICATION	_____
PERMIT	_____
TRANSFER	_____

CASH: ☐ CHECK: # 28892 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243 I/S Lease	_____	0244 Muni Water Mgmt. Plan
_____	_____	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE \$	0202	RECORD FEE \$
0203	GROUND WATER	EXAM FEE \$	0204	RECORD FEE \$
0205	TRANSFER	EXAM FEE \$		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219	LICENSE FEE \$
	LANDOWNER'S PERMIT		0220	LICENSE FEE \$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$
0210	MONITORING WELLS	\$
_____	OTHER (IDENTIFY) _____	

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
<u>0246</u>	HYDRO APPLICATION	\$ 100.00

HE 610 \$50.00

HE 611 \$50.00

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____

\$ _____

RECEIPT: **139540**

DATED 11-14-2022 BY: Mindy Carlson

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **139540**

INVOICE # **AR3HE610**
AR3HE611

RECEIVED FROM: Boaring Springs Ranch, Inc.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 28892 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	RECORD FEE	\$
0203	GROUND WATER	\$	0204		\$
0205	TRANSFER	\$			

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219	LICENSE FEE	\$
	LANDOWNER'S PERMIT		0220		\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD#	
0210	MONITORING WELLS	\$	CARD#	
_____	OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
<u>0246</u>	HYDRO APPLICATION	\$ <u>100.00</u>

HE 610 \$50.00
HE 611 \$50.00

TREASURY OTHER / RDX

FUND _____	TITLE _____	
OBJ. CODE _____	VENDOR # _____	
DESCRIPTION _____		\$ _____

RECEIPT: **139540**

DATED: 11-14-2022 BY: Mindy Carlson

Printed on: White Copy, Customer Yellow Copy, Fiscal Blue Copy, File Blue Copy, Fiscal

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **136832**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

*AR2 HE 612
AR2 HE 611*

RECEIVED FROM:

BY:

Bearing Springs Ranch, Inc.

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

☒ **28157** ☐

TOTAL REC'D \$ **100.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

0246 HYDRO APPLICATION

*HE610, HE611
I @ 50.00*

\$100.00

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: **136832**

DATED: **11-12-2021** BY: *[Signature]*

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **136832**

INVOICE #

*ARZ HE 612
ARZ HE 611*

RECEIVED FROM:

Roaring Springs Ranch, Inc

BY:

APPLICATION

PERMIT

TRANSFER

CASH: CHECK: # OTHER: (IDENTIFY)

28157

TOTAL REC'D \$ *100.00*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

0203 GROUND WATER

\$

0204

0205 TRANSFER

\$

RECORD FEE

\$

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

\$

0219

LANDOWNER'S PERMIT

0220

LICENSE FEE

\$

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

0246 HYDRO APPLICATION

HE610, HE611 \$100.00

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: **136832**

DATED: *11-12-2021* BY: *[Signature]*

LOARING SPRINGS RANCH, INC. Kalama, Washington 98625

Oregon Water Resources Dept.

Date	Type	Reference
10/31/2021	Bill	

Original Amt.
100.00

Balance Due
100.00

11/9/2021

Discount

Check Amount

Payment
100.00
100.00

28157

RECEIVED

NOV 12 2021

OWRD

Cash

HE 611 & HE 610

100.00

STATE OF OREGON

WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 133903

INVOICE

ARIHE610
ARIHE610

RECEIVED FROM:

Horsing Springs Ranch,
Inc.

BY:

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

TOTAL REC'D

\$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

OTHER: (IDENTIFY)

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$

0202

\$

0204

\$

EXAM FEE

\$

0219

\$

0220

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

HE610,611

\$

60.80

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 133903

DATED

11-12-2010

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **133903**

INVOICE #

*ARIHE610
ARIHE611*

RECEIVED FROM: *Hooring Springs Ranch, Inc.*

BY:

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # *27381* OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$
\$

OTHER: (IDENTIFY) _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

0203 GROUND WATER

\$

0204

0205 TRANSFER

\$

RECORD FEE

\$

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

\$

0219

LANDOWNER'S PERMIT

0220

LICENSE FEE

\$

\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

0210 MONITORING WELLS

\$

CARD #

CARD #

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

HE610,611

\$ 60.80

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **133903**

DATED: *11-12-2010*

BY: *[Signature]*

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # **133903**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

ARHE616
ARHE616

RECEIVED FROM:

*Spring Springs Ranch,
Inc.*

BY:

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK #

OTHER: (IDENTIFY)



27381



TOTAL REC'D

\$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT**MISCELLANEOUS**

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HE610,611

\$ 60.80

HYDRO APPLICATION

\$

TREASURY**OTHER / RDX**

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

133903

DATED:

11-12-2020

BY:

[Signature]

ROARING SPRINGS RANCH, INC. Kalama, Washington 98625

Oregon Water Resources Dept.

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
10/31/2020	Bill		60.80	60.80		60.80
				Check Amount		60.80

11/9/2020

27381

RECEIVED
NOV 12 2020
OWRD

Cash	AR1HE610 & AR1HE611	60.80
------	---------------------	-------

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **131293**

INVOICE #

*LA RD HE 610
ARD HE 611*

RECEIVED FROM

BY:

CASH:

CHECK #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

0203 GROUND WATER

\$

0204

0205 TRANSFER

\$

RECORD FEE

\$

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

LANDOWNER'S PERMIT

0220

LICENSE FEE

\$

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

*\$24.00 - HE610
36.80 HE611*

\$60.80

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: **131293**

DATED: *11-14-19*

BY: *Galini*

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **131293**

INVOICE #

*AR DHE 610
AR DHE 611*

RECEIVED FROM:

*Rearing Springs Ranch,
Inc.*

BY:

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK #

OTHER: (IDENTIFY)

☐

26466

TOTAL REC'D

\$ *60.80*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

0203 GROUND WATER

\$

0204

0205 TRANSFER

\$

RECORD FEE

\$

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

\$

0219

LANDOWNER'S PERMIT

0220

LICENSE FEE

\$

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

*#24.00 - HE 610
36.80 HE 611*

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$ *60.80*

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT: **131293**

DATED

11-14-19

BY:

Bilinski

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

**AR9HE610
AR9HE611**

RECEIPT # **128465**

INVOICE # _____

RECEIVED FROM: Roaring Springs Ranch, Inc.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 25558 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$ <u>60.80</u>
_____	HYDRO APPLICATION	\$ <u>HE611 36.00</u>

TREASURY OTHER / RDX

FUND _____	TITLE _____	
OBJ. CODE _____	VENDOR # _____	
DESCRIPTION _____		\$

RECEIPT: **128465**

DATED: 11-15-18 BY: [Signature]

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

*AR9HE610
AR9HE611*

RECEIPT # **128465**

INVOICE # _____

RECEIVED FROM:

*Roaring Springs Ranch,
Inc.*

BY: _____

APPLICATION

PERMIT

TRANSFER

CASH: ☐ CHECK: # *25558* OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ *60.80*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) _____ \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____

0203 GROUND WATER \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____

LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

EXAM FEE

\$ _____

\$ _____

\$ _____

EXAM FEE

\$ _____

RECORD FEE

\$ _____

\$ _____

LICENSE FEE

\$ _____

\$ _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____

0210 MONITORING WELLS \$ _____

OTHER (IDENTIFY) _____

CARD # _____

CARD # _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____

0231 HYDRO LICENSE FEE (FW/WRD) \$ _____

HYDRO APPLICATION \$ _____

*HE610 24.00 \$ 60.80
HE611 36.80 \$*

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **128465**

DATED: *11-15-18* BY: *V. Plenti*

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 125157

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # AR8HE610
AR8HE611

RECEIVED FROM: Roaring Springs Ranch
BY:

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X24696 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$
\$

OTHER: (IDENTIFY)

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE
\$
\$
\$
EXAM FEE
\$

0202

RECORD FEE
\$
\$

0203 GROUND WATER

0204

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

0219

LANDOWNER'S PERMIT

0220

LICENSE FEE
\$
\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$
\$

CARD #
CARD #

0210 MONITORING WELLS

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

24.00 → HE610
36.80 → HE611

\$
\$
\$

HYDRO APPLICATION

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 125157

DATED: 11/13/17 BY: CWaeltrick

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **125157**

INVOICE # **AR8HE610**
AR8HE611

RECEIVED FROM: Roaring Springs Ranch

BY: _____

CASH: ☐ CHECK: # X 24696 OTHER: (IDENTIFY) ☐ _____

APPLICATION	
PERMIT	
TRANSFER	

TOTAL REC'D \$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

Handwritten: 24.00 → HE610
36.80 → HE611

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT:

125157

DATED: 11/13/17 BY: CW Waltrick

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

**AR7HE 610
AR7HE 611**

RECEIPT # **122951**

INVOICE # _____

RECEIVED FROM: **ROARING SPRINGS**
BY: **RANCH, INC**

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # **24160** OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$	0202	RECORD FEE \$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219	LICENSE FEE \$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD #
0210 MONITORING WELLS \$ CARD #
OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$ **60.80**
HYDRO APPLICATION \$

HE610 \$24.00 HE611 \$36.80

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$

RECEIPT: **122951**

DATED: **3-20-17**

BY: **HCare**

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

AR7HE 610
AR7HE 611

RECEIPT # **122951**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: BOARING SPRINGS
BY: RANCH, INC

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 24160 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243 I/S Lease	_____	
0244 Muni Water Mgmt. Plan	_____	
0245 Cons. Water	_____	

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		\$
0231	HYDRO LICENSE FEE (FW/WRD)	HE610 = HE611	\$ <u>60.80</u>
_____	HYDRO APPLICATION	\$24.00 \$36.80	\$

TREASURY OTHER / RDX

FUND _____	TITLE _____	
OBJ. CODE _____	VENDOR # _____	
DESCRIPTION _____		\$

RECEIPT: **122951**

DATED: 3-20-17

BY: X Corp

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **118300**

INVOICE # **ARLHE 611**

RECEIVED FROM **Roaring Springs Ranch, Inc.**
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# **23019** OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ **60.80**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

24.00 # 610
36.80 611
✓ 60.80

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$ 60.80
HYDRO APPLICATION	\$

HE 611,610

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **118300**

DATED: **12-14-15**

BY: **M. Anderson**

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **118300**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

ARLHE 610
ARLHE 610

RECEIVED FROM: Roaring Springs Ranch,
BY: Inc.

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# 23019 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 60.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
	OTHER: (IDENTIFY)	\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$
WATER RIGHTS:		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY)	\$

24.00[#] 610
 36.80 611
 60.80

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #
0210	MONITORING WELLS	\$	CARD #
	OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)		\$
0231	HYDRO LICENSE FEE (FWWRD)	HE 611.610	\$ 60.80
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND	TITLE
OBJ. CODE	VENDOR #
DESCRIPTION	\$

RECEIPT: **118300**

DATED: 12-14-15

BY: Maria Anderson

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT #

116262

INVOICE #

RECEIVED FROM:

Roaring Springs Ranch, Inc.

BY:

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK:

OTHER: (IDENTIFY)

☐☒

22572

☐

TOTAL REC'D

\$ 1000.00

1083 TREASURY

4170 WRD MISC CASH ACCT

0407

COPIES

\$

OTHER:

(IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

TC-162

DEPOSIT LIAB. (IDENTIFY)

\$

0240

EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201

SURFACE WATER

\$

0202

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER

(IDENTIFY)

0536 TREASURY

0437 WELL CONST. START FEE

0211

WELL CONST START FEE

\$

CARD #

0210

MONITORING WELLS

\$

CARD #

OTHER

(IDENTIFY)

0607 TREASURY

0467 HYDRO ACTIVITY

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

0228

HYDRO APPLICATION

Stage 2
HE 610 PCA 6/1/33 \$500.00
HE 611 PCA 6/1/34 \$500.00

\$ 1000.00

TREASURY

OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

116262

DATED:

6/17/15 BY: E. Hall Hopz

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **116262**

INVOICE # _____

RECEIVED FROM: Roaring Springs Ranch, Inc.

BY: _____

APPLICATION

PERMIT

TRANSFER

CASH: ☐ CHECK: ☒ OTHER: (IDENTIFY) ☐

22572

TOTAL REC'D \$ 1000.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

OTHER: (IDENTIFY) _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY) _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____

0240 EXTENSION OF TIME

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

EXAM FEE

\$

\$

\$

EXAM FEE

\$

0202

0204

0219

0220

RECORD FEE

\$

\$

LICENSE FEE

\$

\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) _____

\$

\$

CARD #

CARD #

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

0228 HYDRO APPLICATION

Stage 2
HE 610 PCA 61133 \$500.00
HE 611 PCA 61134 \$500.00

\$

\$

\$1000.00

TREASURY

OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **116262**

DATED: 6/17/15 BY: G. Allen Hops

ROARING SPRINGS RANCH, INC. Kalama, Washington 98625

Oregon Water Resources Dept.

Date	Type	Reference
6/11/2015	Bill	

Original Amt.
1,000.00

	6/12/2015
Balance Due	Discount
1,000.00	
Check Amount	

22572
Payment
1,000.00
1,000.00

RECEIVED BY OWRD

JUN 17 2015

SALEM, OR

Cash

fees stage 2 HE 610 & HE 611

1,000.00

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 112820

INVOICE # _____

RECEIVED FROM:

Roaring Springs
Ranch LLC

BY:

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)



21818



TOTAL REC'D \$ 1000.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

OTHER: (IDENTIFY)

\$

\$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

\$

\$

\$

\$

\$

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$

\$

\$

EXAM FEE

\$

RECORD FEE

\$

\$

LICENSE FEE

\$

\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY)

\$

\$

CARD #

CARD #

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

0227 HYDRO APPLICATION

61133/61134

STAGE 1

HE 610 : 611 5000 ea

\$

\$

\$ 1000.00

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 112820

DATED: 7/22/14

BY: K. Hall

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **112820**

INVOICE # _____

RECEIVED FROM:

BY:

CASH:

CHECK: #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D \$ **1000.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

EXAM FEE

RECORD FEE

EXAM FEE

LICENSE FEE

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

61133/61134

\$

0231 HYDRO LICENSE FEE (FW/WRD)

STAGE 1

\$

HYDRO APPLICATION

HE 610 : 611 5000 ea

\$1000.00

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: **112820**

DATED: **7/22/14**

BY: **K. Hall**

GRAINEY Mary S * WRD

From: Stacy Davies <stacyd@countrynaturalbeef.com>
Sent: Thursday, March 16, 2017 1:31 PM
To: GRAINEY Mary S * WRD; Liz James; Valerie Baune
Cc: roaringspringsranch@gmail.com
Subject: Re: Annual hydroelectric fee

I am sorry about the list mail.

Please mail future bills to:

Roaring Springs Ranch
985 NW 2nd Street
Kalama WA 98625



We will pay this invoice from this email.

Thank you

Stacy Davies
Roaring Springs Ranch
Country Natural Beef
541-589-1896

On Mar 16, 2017, at 1:13 PM, GRAINEY Mary S * WRD <Mary.S.Grainey@oregon.gov> wrote:

Dear Roaring Springs Ranch Manager,

I am writing concerning the annual fee for your two small hydroelectric projects, one on Roaring Springs and one on Three Mile Springs. State law requires an annual fee (a total of \$60.80) which is due on January 1 of each year. The Department of Water Resources has provided two invoices, but has not received payment to date. I have attached copies of the invoices.

Your payment should be submitted to the Department by April 3, 2017. ORS 543.720(2) authorizes the Department to increase fees due by 25% if not paid within the time period specified.

If you have any questions about the fee or the statement, please contact me as below.

Thank you for your attention to this matter.

-- Mary

Mary S. Grainey P.E., C.W.R.E.
Hydroelectric Program Coordinator
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0833
Mary.s.grainey@oregon.gov

<Roaring Springs invoice.docx>

HE 610
AGENCY COMMENTS

Agency Comments



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application to Develop a Minor Hydroelectric Project (Less than 100 theoretical horsepower)

Jake Polvi - consultant - main contact
jake@pdvi.net 541.410.3050

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, please insert "n/a". Please read and refer to the instructions guide when completing your application. A summary of review criteria and procedures that are applicable to minor hydroelectric projects is available at www.wrd.state.or.us Thank you.

RECEIVED BY OWRD

1. APPLICANT INFORMATION

Applicants: Stacy Davies *Land manager* **JUL 22 2014**
First Last **SALEM, OR**

Organization: Roaring Springs Ranch Inc.
First Last

Mailing Address: 31437 Highway 205, Frenchglen, OR 97736
City State Zip

Phone: 541-589-1896 cell 495-2263 office
Home Work Other

*Fax: 541-495-2266 E-mail address: stacyd@countrynaturalbeef.com
roaringspringsranch@gmail.com

*Optional Information

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water? This includes diversion location and place of use; roads; rights-of-way; and canals or ditches.

☒ Yes (Skip to section 3 "Water Use")

☐ No Please check the appropriate box below.

- ☐ I have a recorded easement or written authorization permitting access.
- ☐ I do not currently have written authorization or easement permitting access. **Note: A water right cannot be issued without written authorization or easement provided to the Department.**

List the names and mailing addresses of all affected landowners.

N/A

Attach a separate sheet if needed.

3. WATER USE

A. Proposed Source and Amount of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so. If the source will be a reservoir, list reservoir name and/or permit number:

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (CFS) or gallons per minute (GPM). If the proposed use is from storage, provide the amount in acre-feet (AF):

(1 cubic foot per second = 448.8 gallons per minute 1 acre-foot = 43,560 cubic feet)

Source	Tributary to	Amount (AF, CFS, GPM)
Three Mile Springs	Three mile Reservoir	1 CFS

B. Period of Use

Indicate the time of year when you propose to use water:

All year

C. Power Development

The project will utilize 210 (number of feet) of gross head to develop 24 (number) theoretical horsepower (THP).

THP is calculated by multiplying the quantity of water to be diverted in cubic feet per second by the vertical head in feet and dividing the product by 8.8). The head is the difference in elevation between the intake of the pipeline and the return discharge to the stream.

D. Location

The point of diversion is located within the SE 1/4 of the NW 1/4 of Section 25, Township 35S, Range 32E, W.M.,

The power plant is located within the NE 1/4 of the SW 1/4 of Section 25, Township 35S, Range 32E, W.M., in Harney County.

After passing through the power plant, the water utilized will be returned to

Three Mile (stream) in the NW 1/4 of the SW 1/4 of Section 25, Township 35S, Range 32E, W.M.

E. Project Facilities

(IF APPLICABLE) The diversion dam will have a height of N/A feet, a crest width of N/A feet, an upstream slope of N/A feet horizontal to one foot vertical, and a downstream slope of N/A feet horizontal to one foot vertical.

Describe the type of dam and the material with which it will be constructed:

N/A

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

(IF APPLICABLE) The storage reservoir will be located on
N/A (body of water), tributary to N/A (body of water)
in Section N/A, Township N/A, Range N/A, W.M.
When full the reservoir will have a surface area of N/A acres and a total storage
volume of N/A acre-feet.

(IF APPLICABLE) The canal will have a length of N/A feet, a slope of N/A feet
horizontal /feet vertical, a base width of N/A feet, and a top width of N/A feet.

(IF APPLICABLE) The pipeline will have a length of 1800 feet, a diameter of 6
inches, and the difference in elevation between the intake and discharge will be 210
feet. The type of pipe used is Schedule 40 PVC

Describe the type of water wheel and generator that will be used: The power plant will consist of a
Pelton type turnibe with double nozzle and a custom induction generator provided by Canyon Hydro.

4. WATER MANAGEMENT

A. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right
and you are not wasting water?

☐ Weir ☒ Meter ☐ Periodic Sampling

Have you planned for a minimum bypass flow?

☒ Describe

Yes, the by pass valve will be capable of 100% of the flow.

5. RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state requires, careful
control of activities that may affect the waterway or streamside area. Please indicate any
of the practices you plan to undertake to protect water resources.

☐ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions:

No, fish screening is not required as there are no fish present in the springs.

RECEIVED BY OWRD

JUL 22 2014

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: Perforated pipe and drain rocked trenches will absorb the springs allowing minimal ground disturbance on the small area at which the springs are surfacing.

☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe: _____
There is no aquatic life at the springs location.

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: The site will contain erosion control structures to keep soil and ground conditions stable during construction. These erosion structures will consist of straw waddles and silt fences below the construction area.

6. FINANCES AND SCHEDULE

The estimated cost of the project is \$ 120,000.

The proposed use or market for the power to be developed is: The ranch will sell the power to Harney County Electric.

The time schedule for completing the project after a water right is issued is one year.

The estimated life of this project is 50 years. Upon a decision to terminate project operations, the project must be decommissioned under applicable Oregon laws. Upon project termination, the proposed method of removal is to eliminate any environmental or health and safety concerns. The penstock will be capped and abandoned to eliminate ground disturbance while the mechanical and electrical equipment will be recycled and/or be disposed of properly.

RECEIVED BY OWRD

JUL 22 2014

7. NEIGHBORS

The following individuals own property within 300 feet of the proposed powerhouse:
(include names, physical addresses, and mailing addresses)

There are no properties within 300 feet of the proposed powerhouse not owned by
Roaring Springs Ranch Inc.

8. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Referencing the water use question, this water is already used under certificate
number 23501 for irrigation, domestic, and stock use. The amount of water used
year round is significantly lower in the winter months for these existing uses.

This water right will grant the ranch to produce hydro power year round as the
springs continue to flow year round.

9. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter-quarter section of the proposed diversion location and powerhouse. See the map guidelines sheet for detailed map specifications.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

10. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided.
- I cannot legally use water until the Water Resources Department issues a water right to me.
- If I get a water right, I must not waste water.
- If development of the water use is not according to the terms of the water right, the water right can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a water right to me, I may have to stop using water to allow senior water right holders, instream water rights or minimum bypass flows to get water they are entitled to, and

I affirm that all information provided in this application is true and correct to the best of my knowledge.

Stacy L Daves, manager, R.S.R. Inc. 7/7/14
Signature of applicant Date

Signature of applicant Date

11. EXHIBITS

The following Exhibits must be included as a part of this application:

Exhibit A Narrative Statement describing the proposed project from the point(s) of diversion to the water return area.

Exhibit B Project Map (See Guide for Minor Hydroelectric Applications)

Exhibit C Tax Assessors map showing all property lines within 300 feet of the proposed powerhouse.

Exhibit D Attach land use form. Land use form must be signed by the local planning official, certifying that the use and structures associated with this project are allowed. The land use form is available from the OWRD Salem office or OWRD web site, <http://www1.wrd.state.or.us/pdfs/landuseform.pdf>

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Exhibit A

The following proposed hydropower project will begin at Three Mile Spring where perforated pipe and 3" drain rock trenches develop a pipe network that flow into a spring box. The spring box will be constructed of a precast 48" by 60" concrete structure that will act as the spring water manifold and capture the spring water as it surfaces. The pipe network will consist of four inch perforated pipe laid within a four foot deep, three foot wide trench of 3" drain rock.

This spring box will sit at an approximate ground elevation of 4,867 feet, giving the pipe an invert elevation (IE) of approximately 4,863 feet. The four inch perforated pipe will drain into the spring box while the outlet will be a six inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,800 feet in length and dropping 210 feet in elevation to the hydropower plant at approximately 4,653 feet in elevation.

At the power plant, the spring water will go through the power generation system to create electric power and then discharge in to Three Mile Creek that runs into Three Mile Reservoir. This reservoir is used for storage on the Roaring Springs Ranch for irrigation and stock uses. The water right certificate for these existing uses is under water right certificate number 23501.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

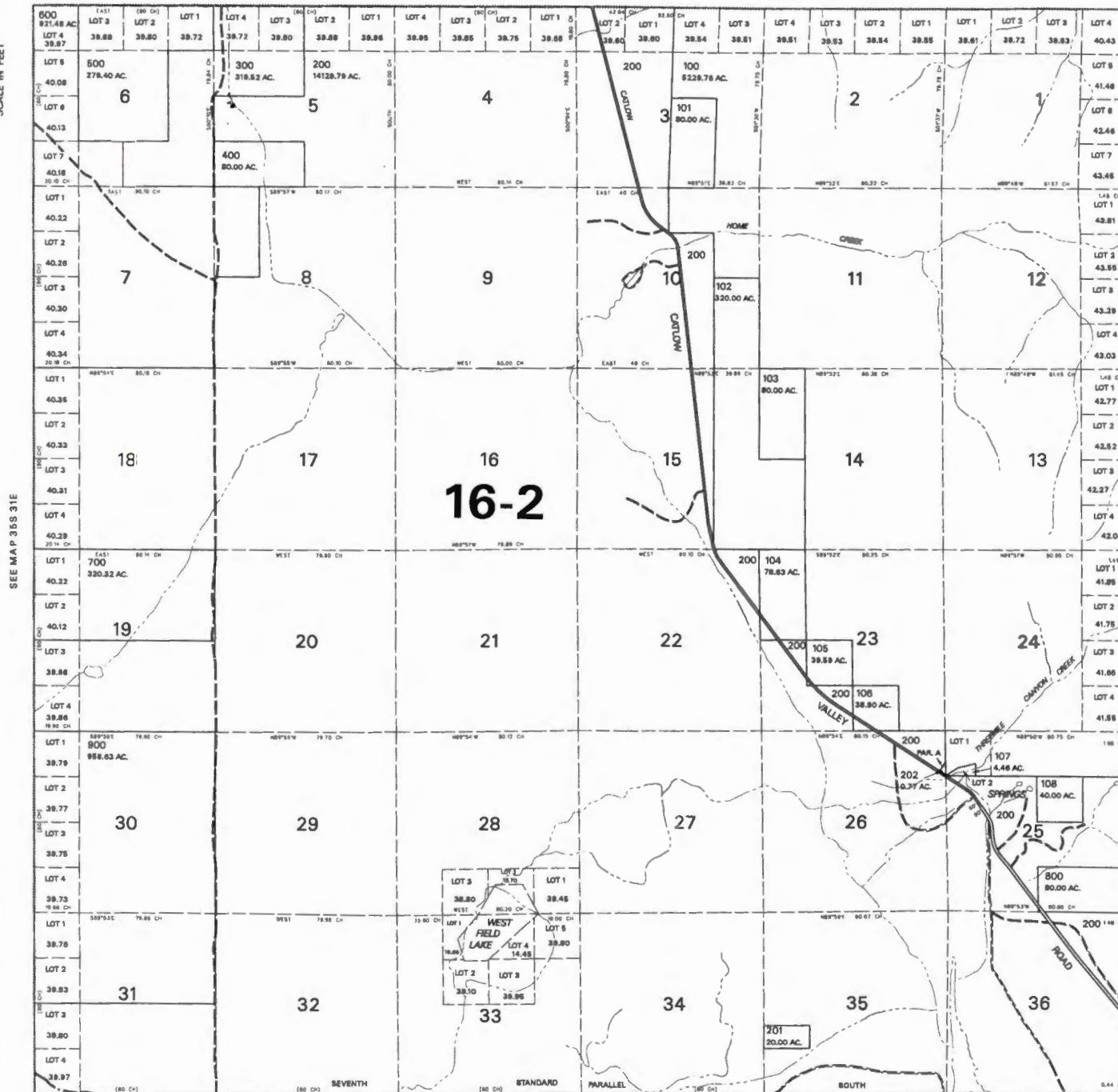
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T.35S. R.32E. W.M.
HARNEY COUNTY

1"=2000'
SEE MAP 34S 32E

35S 32E

SCALE IN FEET
0 2000 4000



SEE MAP 35S 31E

SEE MAP 36S 32E

SEE MAP 36S 32E

REVISED: RT
02/18/03

35S 32E

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Roaring Springs Ranch Inc.

First

Last

Mailing Address: 31434 Highway 205, Frenchglen, OR 97736

Frenchglen

City

OR

State

97736

Zip

Daytime Phone: 541-589-1896

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35S	32E	25	SE NW	200	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Three Mile Springs

Estimated quantity of water needed: 1 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Hydro Power Production

Briefly describe:

The proposed plan is to capture the springs water for year round hydro power production before the water is used for the ranch's irrigation, domestic, and stock use on water right certificate number 23501.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Brandon McMullen Title: Planning Director
 Signature: [Signature] Phone: (541) 573-6655 Date: 7/28/2014
 Government Entity: Harney County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

REECE Ann L

From: Jake Polvi <jake@polvi.net>
Sent: Thursday, June 04, 2015 1:28 PM
To: REECE Ann L
Subject: Re: HE 610 - RE: SHPO Project #14-1309

Thanks!

On Thu, Jun 4, 2015 at 9:49 AM, REECE Ann L <ann.l.reece@state.or.us> wrote: ✓

Jake,

Yes, I will be preparing the Final Certificates to go out next week! Thanks for following up with Dennis. ✓

Best Regards,

Ann Reece

Water Right Services Division

Hydroelectric Analyst / Municipal Extension Specialist
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
[503-986-0834](tel:503-986-0834)
reeceal@ wrd.state.or.us

From: Jake Polvi [<mailto:jake@polvi.net>]
Sent: Thursday, June 04, 2015 9:16 AM
To: REECE Ann L
Subject: Fwd: HE 610 - RE: SHPO Project #14-1309

Ann,

Dennis confirmed there are no concerns with the Headquarters site, but he's concerned about the three mile location. He did advised (see below), the proposed project misses the area of concern. The Ranch will be extremely caution with both projects.

Can you issue the Certs?

Thanks,
Jake

----- Forwarded message -----

From: **GRIFFIN Dennis * OPRD** <Dennis.Griffin@oregon.gov>

Date: Thu, Jun 4, 2015 at 8:14 AM

Subject: RE: HE 610 - RE: SHPO Project #14-1309

To: Jake Polvi <jake@polvi.net>

Jake,

Your proposed project misses the known site but remains in an area extremely likely to possess archaeological sites. Before any ground disturbing activities occur along the springs in this area, our office believes that an archaeological survey of the property should occur. There has been no previous survey conducted in this area and the chances of a site being there is extremely high. My earlier letter attempted to outline this need due to the landform and past history of Native American landuse activities in this area.

\ Dennis /

Dennis Griffin, Ph.D, RPA

State Archaeologist

Oregon State Historic Preservation Office

(503)986-0674

Dennis.Griffin@oregon.gov

Please note: My address has changed and it is now @Oregon.gov rather than the earlier @state.or.us.

From: Jake Polvi [<mailto:jake@polvi.net>]

Sent: Tuesday, June 02, 2015 3:16 PM

To: GRIFFIN Dennis * OPRD

Subject: Re: HE 610 - RE: SHPO Project #14-1309

Dennis,

Did you have any further comments or questions related to this project? After seeing the aerials, are we outside of your areas of concern?

Thanks,
Jake

On Tue, Apr 28, 2015 at 7:54 AM, Jake Polvi <jake@polvi.net> wrote:

Dennis,

Thanks for the quick response. Attached please find an aerial and topo for the proposed 6 inch-diam water alignment.

Please feel free to call me anytime at 541.410.3050 if you have any questions or need further information.

Thanks,
Jake

On Mon, Apr 27, 2015 at 3:11 PM, GRIFFIN Dennis * OPRD <Dennis.Griffin@oregon.gov> wrote:

Jake,

It would be much easier for me to respond to you if I had a map of the project area on a USGS map with the various project components clearly demarcated. The water rights application area map is very vague and difficult to relate to our internal system. Do you have a good aerial that shows each component? I can tell you by looking at your map that it appears to me that the 6" line will pass through site 35HA354 but I can't see a powerhouse or dam on our aerials. If you could provide me with a better map of the project that shows both of your waterlines, the dam and powerhouse, and any other proposed areas of ground disturbance, I will try and complete a better review for you and get back with specific areas that appear problematic. I will be out of the office on Tuesday and Wednesday this week but back in the remainder of the week. I will try and get back to you as soon as I get the data we need to complete a better analysis.

\ Dennis /

✓
Dennis Griffin, Ph.D, RPA

State Archaeologist

Oregon State Historic Preservation Office

(503)986-0674

Dennis.Griffin@oregon.gov

Please note: My address has changed and it is now @Oregon.gov rather than the earlier @state.or.us.

From: Jake Polvi [mailto:jake@polvi.net]

Sent: Monday, April 27, 2015 11:16 AM

To: GRIFFIN Dennis * OPRD

Subject: Fwd: HE 610 - RE: SHPO Project #14-1309

Dennis,

Is the alignment of the 6" water line in the area of your concern? The 2" water line is existing, and the proposed location of the 6" water line follows an existing ranch road. We want to make sure we do not disturb any areas of concern.

Can you send us a map of the location your concerned or confirm if the proposed water line alignment and power house location is outside of the area of concern.

Thanks,

Jake

On Mon, Apr 27, 2015 at 10:59 AM, REECE Ann L <ann.l.reece@state.or.us> wrote:

Jake,

† To recap our phone conversation from this morning. I understand you have made contact with Dennis Griffin at SHPO to try to discern the location of the archaeological site 35HA354 relative to the location of the hydroelectric project, but have been unable to secure that information. As we discussed I am attaching a copy of the project site map to share with Mr. Griffin; hopefully that will enable a determination regarding any potential conflict between the archaeological site compared to the project site. I understand that there won't be any new sites excavated during the project – that the new pipeline will be installed at the same location as the existing pipeline.

Please let us know what you find out from SHPO.

The comment period for the for the proposed final order and draft certificate (license) ends May 26. Once the comment period ends, assuming no new issues are raised, and we receive the final fee payment the certificate (license) can be issued.

Best Regards,

Ann Reece

Water Right Services Division

Hydroelectric Analyst / Municipal Extension Specialist
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0834
reeceal@wrds.state.or.us



REECE Ann L

From: Jake Polvi <jake@polvi.net>
Sent: Thursday, June 04, 2015 9:16 AM
To: REECE Ann L
Subject: Fwd: HE 610 - RE: SHPO Project #14-1309

Ann,
Dennis confirmed there are no concerns with the Headquarters site, but he's concerned about the three mile location. He did advised (see below), the proposed project misses the area of concern. The Ranch will be extremely caution with both projects.

Can you issue the Certs?

Thanks,
Jake

----- Forwarded message -----

From: GRIFFIN Dennis * OPRD <Dennis.Griffin@oregon.gov>
Date: Thu, Jun 4, 2015 at 8:14 AM
Subject: RE: HE 610 - RE: SHPO Project #14-1309
To: Jake Polvi <jake@polvi.net>

Jake,

Your proposed project misses the known site but remains in an area extremely likely to possess archaeological sites. Before any ground disturbing activities occur along the springs in this area, our office believes that an archaeological survey of the property should occur. There has been no previous survey conducted in this area and the chances of a site being there is extremely high. My earlier letter attempted to outline this need due to the landform and past history of Native American landuse activities in this area.

\ Dennis /

Dennis Griffin, Ph.D, RPA

State Archaeologist

Oregon State Historic Preservation Office

(503)986-0674

Dennis.Griffin@oregon.gov



Please note: My address has changed and it is now @Oregon.gov rather than the earlier @state.or.us.

From: Jake Polvi [mailto:jake@polvi.net]
Sent: Tuesday, June 02, 2015 3:16 PM
To: GRIFFIN Dennis * OPRD
Subject: Re: HE 610 - RE: SHPO Project #14-1309

Dennis,

Did you have any further comments or questions related to this project? After seeing the aerials, are we out side of your areas of concern?

Thanks,
Jake

On Tue, Apr 28, 2015 at 7:54 AM, Jake Polvi <jake@polvi.net> wrote:

Dennis,

Thanks for the quick response. Attached please find an aerial and topo for the proposed 6 inch-diam water alignment.

Please feel free to call me anytime at 541.410.3050 if you have any questions or need further information.

Thanks,
Jake

On Mon, Apr 27, 2015 at 3:11 PM, GRIFFIN Dennis * OPRD <Dennis.Griffin@oregon.gov> wrote:

Jake,

It would be much easier for me to respond to you if I had a map of the project area on a USGS map with the various project components clearly demarcated. The water rights application area map is very vague and difficult to relate to our internal system. Do you have a good aerial that shows each component? I can tell you by looking at your map that it appears to me that the 6" line will pass through site 35HA354 but I can't see a powerhouse or dam on our aerials. If you

could provide me with a better map of the project that shows both of your waterlines, the dam and powerhouse, and any other proposed areas of ground disturbance, I will try and complete a better review for you and get back with specific areas that appear problematic. I will be out of the office on Tuesday and Wednesday this week but back in the remainder of the week. I will try and get back to you as soon as I get the data we need to complete a better analysis.

\ Dennis /

Dennis Griffin, Ph.D, RPA

State Archaeologist

Oregon State Historic Preservation Office

(503)986-0674

Dennis.Griffin@oregon.gov

Please note: My address has changed and it is now @Oregon.gov rather than the earlier @state.or.us.

From: Jake Polvi [mailto:jake@polvi.net]

Sent: Monday, April 27, 2015 11:16 AM

To: GRIFFIN Dennis * OPRD

Subject: Fwd: HE 610 - RE: SHPO Project #14-1309

Dennis,

Is the alignment of the 6" water line in the area of your concern? The 2" water line is existing, and the proposed location of the 6" water line follows an existing ranch road. We want to make sure we do not disturb any areas of concern.

Can you send us a map of the location your concerned or confirm if the proposed water line alignment and power house location is outside of the area of concern.

Thanks,

Jake



On Mon, Apr 27, 2015 at 10:59 AM, REECE Ann L <ann.l.reece@state.or.us> wrote:

Jake,

To recap our phone conversation from this morning. I understand you have made contact with Dennis Griffin at SHPO to try to discern the location of the archaeological site 35HA354 relative to the location of the hydroelectric project, but have been unable to secure that information. As we discussed I am attaching a copy of the project site map to share with Mr. Griffin; hopefully that will enable a determination regarding any potential conflict between the archaeological site compared to the project site. I understand that there won't be any new sites excavated during the project – that the new pipeline will be installed at the same location as the existing pipeline.

Please let us know what you find out from SHPO.

The comment period for the for the proposed final order and draft certificate (license) ends May 26. Once the comment period ends, assuming no new issues are raised, and we receive the final fee payment the certificate (license) can be issued.

Best Regards,

Ann Reece

Water Right Services Division

Hydroelectric Analyst / Municipal Extension Specialist
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0834
reeceal@ wrd.state.or.us

REECE Ann L

From: REECE Ann L <ann.l.reece@state.or.us>
Sent: Friday, March 20, 2015 5:51 PM
To: REECE Ann L; STINE Chris; GRIFFIN Dennis * OPRD; jake@polvi.net; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E; roaringspringsranch@gmail.com; WISE Ted G
Subject: HE 610 & 611 -- Roaring Springs hydroproject Technical Reports and Draft Certificates- Harney County, OR
Attachments: HE 611 Technical Report and Draft Cert.PDF; HE 610 Technical Report and Draft Cert.PDF

This is scheduled to be noticed on Tuesday, March 24, 2015.

**Technical Reports and Draft Certificates
for Two Minor Hydroelectric Projects**

Comments are Due May 26, 2015

The Department seeks public comments and/or objections on these two technical reports and draft water right certificates for water use at minor hydroelectric projects. Comments and/or objections must be submitted within 60 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the technical report(s) and draft certificate(s) please contact Ann Reece (503) 986-0834, Mary Grainey (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Best Regards,

Ann Reece

Water Right Services Division
Hydroelectric Analyst / Municipal Extension Specialist
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0834
reeceal@ wrd.state.or.us

From: Ted Wise [mailto:ted.g.wise@state.or.us]
Sent: Friday, July 25, 2014 2:50 PM
To: STINE Chris; GRAINEY Mary S; DORAN Nancy E
Cc: REECE Ann L; LARKINS Autumn N; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Hi all,

I met this morning in Bend with Jake Polvi, a representative of Roaring Springs Ranch. Jake is handling the details of the Ranch's two proposed small hydro-developments and had thought that by going over the details of the project via site photos and aerial photos a site visit might not be necessary. While the photos were helpful, and it appears that ODFW's

resource concerns might be fairly minor, I still think a site visit would be beneficial prior to providing feedback on the proposed projects. In discussing a time that works in his schedule and works for ODFW staff, Tuesday, August 12 seemed to be the best fit. With this in mind, Jake and I agreed on a meeting time of 10:30 am on August 12 for those interested in attending an on-site meeting to go over the specifics of the two projects. I apologize if this doesn't fit into some individuals schedules, but it's the best I could do given the time allotted for comments and other considerations.

Jake asked me to give him a heads up as to who will be attending, so if those of you who plan on participating would please let me know I'd appreciate it.

- Ted

Ted Wise
High Desert Region Hydropower Program Leader
Oregon Department of Fish and Wildlife
61374 Parrell Road
Bend, Oregon 97702
541-633-1115

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Wednesday, July 23, 2014 4:17 PM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Craig
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 2:20 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Tuesday, July 22, 2014 1:56 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Tuesday, July 22, 2014 9:39 AM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 8:20 AM
To: DORAN Nancy E; WISE Ted G
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]
Sent: Monday, July 21, 2014 5:26 PM
To: Ken Homolka; Nancy E Doran
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Monday, July 21, 2014 3:35 PM
To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM
To: nancy.e.doran@state.or.us; Ted Wise
Cc: GRAINEY Mary S
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.
Ken

From: Doug Young [mailto:doug_young@fws.gov]
Sent: Monday, July 21, 2014 12:11 PM
To: ken homolka
Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken – has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug

REECE Ann L

From: Jake Polvi <jake@polvi.net>
Sent: Thursday, January 15, 2015 9:11 AM
To: REECE Ann L
Subject: Re: Roaring Springs Ranch Inc Hydro

Got it.
Thanks,
Jake Polvi
541.410.3050
jake@polvi.net

On Thu, Jan 15, 2015 at 9:08 AM, REECE Ann L <ann.l.reece@state.or.us> wrote:

Best Regards,

Ann Reece

Water Right Services Division

Hydroelectric Analyst / Municipal Extension Specialist
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
[503-986-0834](tel:503-986-0834)
reeceal@wrdd.state.or.us



REECE Ann L

From: Ted Wise <ted.g.wise@state.or.us>
Sent: Friday, July 25, 2014 2:50 PM
To: STINE Chris; GRAINEY Mary S; DORAN Nancy E
Cc: REECE Ann L; LARKINS Autumn N; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Hi all,

I met this morning in Bend with Jake Polvi, a representative of Roaring Springs Ranch. Jake is handling the details of the Ranch's two proposed small hydro-developments and had thought that by going over the details of the project via site photos and aerial photos a site visit might not be necessary. While the photos were helpful, and it appears that ODFW's resource concerns might be fairly minor, I still think a site visit would be beneficial prior to providing feedback on the proposed projects. In discussing a time that works in his schedule and works for ODFW staff, Tuesday, August 12 seemed to be the best fit. With this in mind, Jake and I agreed on a meeting time of 10:30 am on August 12 for those interested in attending an on-site meeting to go over the specifics of the two projects. I apologize if this doesn't fit into some individuals schedules, but it's the best I could do given the time allotted for comments and other considerations.

Jake asked me to give him a heads up as to who will be attending, so if those of you who plan on participating would please let me know I'd appreciate it.

- Ted

Ted Wise
High Desert Region Hydropower Program Leader
Oregon Department of Fish and Wildlife
61374 Parrell Road
Bend, Oregon 97702
541-633-1115

From: GRAINEY Mary S [mailto:mary.s.grainey@state.or.us]
Sent: Wednesday, July 23, 2014 4:17 PM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Craig
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 2:20 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Tuesday, July 22, 2014 1:56 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Tuesday, July 22, 2014 9:39 AM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 8:20 AM
To: DORAN Nancy E; WISE Ted G
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]
Sent: Monday, July 21, 2014 5:26 PM
To: Ken Homolka; Nancy E Doran
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Monday, July 21, 2014 3:35 PM
To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM
To: nancy.e.doran@state.or.us; Ted Wise
Cc: GRAINEY Mary S
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.
Ken

From: Doug Young [mailto:doug_young@fws.gov]
Sent: Monday, July 21, 2014 12:11 PM
To: ken homolka
Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken – has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug

REECE Ann L

From: STINE Chris <chris.stine@state.or.us>
Sent: Thursday, July 24, 2014 10:11 AM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Based on FERC's preliminary conduit determination I don't think it's necessary for DEQ to intervene on this one. The project will not require a 401 and, besides, the discharge will continue to be used consumptively for irrigation. For this reason, we'll pass on the upcoming site visit. However, please contact me if anyone identifies water quality-related issues with this project that I may have overlooked.

Chris

From: GRAINEY Mary S [mailto:mary.s.grainey@state.or.us]
Sent: Wednesday, July 23, 2014 4:17 PM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Craig
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 2:20 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Tuesday, July 22, 2014 1:56 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Tuesday, July 22, 2014 9:39 AM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 8:20 AM
To: DORAN Nancy E; WISE Ted G
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]
Sent: Monday, July 21, 2014 5:26 PM
To: Ken Homolka; Nancy E Doran
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Monday, July 21, 2014 3:35 PM

To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM
To: nancy.e.doran@state.or.us; Ted Wise
Cc: GRAINEY Mary S
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.
Ken

From: Doug Young [mailto:doug_young@fws.gov]
Sent: Monday, July 21, 2014 12:11 PM
To: ken homolka
Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken – has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug

REECE Ann L

From: STINE Chris <chris.stine@state.or.us>
Sent: Wednesday, July 23, 2014 4:53 PM
To: FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; STINE Chris; BANKS David T; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Keep me posted on suggested dates, Ted. My availability is thin for the next few weeks but I may consider this once I've read through the applications.

From: Ted Wise [mailto:ted.g.wise@state.or.us]
Sent: Wednesday, July 23, 2014 4:47 PM
To: FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E
Cc: REECE Ann L; STINE Chris; BANKS David T; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Mary,

Thanks for the material. I placed a call to Stacy Davis (applicant) asking him to get back to me so we can discuss his availability for a site visit. As soon as I hear back from him with a few potential days he might be available to meet with folks I check in. I would like to get a look at the site and then perhaps we can convene a call if folks think it would be helpful.

- Ted

From: GRAINEY Mary S [mailto:mary.s.grainey@state.or.us]
Sent: Wednesday, July 23, 2014 4:17 PM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G

Cc: REECE Ann L; KOHANEK Craig

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]

Sent: Tuesday, July 22, 2014 2:20 PM

To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]

Sent: Tuesday, July 22, 2014 1:56 PM

To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]

Sent: Tuesday, July 22, 2014 9:39 AM

To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]

Sent: Tuesday, July 22, 2014 8:20 AM

To: DORAN Nancy E; WISE Ted G

Cc: GRAINEY Mary S

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]

Sent: Monday, July 21, 2014 5:26 PM

To: Ken Homolka; Nancy E Doran

Cc: GRAINEY Mary S

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Monday, July 21, 2014 3:35 PM
To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM
To: nancy.e.doran@state.or.us; Ted Wise
Cc: GRAINEY Mary S
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.
Ken

From: Doug Young [mailto:doug_young@fws.gov]
Sent: Monday, July 21, 2014 12:11 PM
To: ken homolka
Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken -- has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug

REECE Ann L

From: GRAINEY Mary S
Sent: Wednesday, July 23, 2014 4:17 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G; FONSECA Marilyn; STINE Chris; JOHNSON JR
Cc: REECE Ann L; KOHANEK Craig
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR
Attachments: HE 610 app.pdf; HE 610 map.pdf; HE 611 app.pdf; HE 611 map.pdf

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Craig
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 2:20 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Tuesday, July 22, 2014 1:56 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Durf

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Tuesday, July 22, 2014 9:39 AM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 8:20 AM
To: DORAN Nancy E; WISE Ted G
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]
Sent: Monday, July 21, 2014 5:26 PM
To: Ken Homolka; Nancy E Doran
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Monday, July 21, 2014 3:35 PM
To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM

To: nancy.e.doran@state.or.us; Ted Wise

Cc: GRAINEY Mary S

Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.

Ken

From: Doug Young [mailto:doug_young@fws.gov]

Sent: Monday, July 21, 2014 12:11 PM

To: ken homolka

Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken -- has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug

Duf

REECE Ann L

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 9:15 AM
To: REECE Ann L; KOHANEK Craig
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

Ann and Craig, this was a surprise to me, but I guess Frenchglen is the place to be! There are 2 hydro projects proposed at Roaring Springs Ranch south of Frenchglen. I think we may have had some contacts with these folks, but we will need to get an "additional hydro" application soon.

I am trying to figure out how to query the FERC library to find the CD dockets and I am baffled. I may have to resort to querying each docket number separately. CD14-24, CD14-25 etc. More later –
-- Mary

MISSING

From: Ken Homolka [mailto:ken.homolka@state.or.us]
Sent: Tuesday, July 22, 2014 8:20 AM
To: DORAN Nancy E; WISE Ted G
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

Dur

From: Ted Wise [mailto:ted.g.wise@state.or.us]
Sent: Monday, July 21, 2014 5:26 PM
To: Ken Homolka; Nancy E Doran
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

Dur

From: Nancy E Doran [mailto:nancy.e.doran@state.or.us]
Sent: Monday, July 21, 2014 3:35 PM
To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Dur

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM
To: nancy.e.doran@state.or.us; Ted Wise
Cc: GRAINEY Mary S
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.
Ken

From: Doug Young [mailto:doug_young@fws.gov]
Sent: Monday, July 21, 2014 12:11 PM
To: ken homolka
Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken – has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug



Technical Report and Draft Certificate for A Minor Hydroelectric Project

The Department seeks public comments and/or objections on these two technical reports and draft water right certificates for water use at minor hydroelectric projects. Comments and/or objections must be submitted within 60 days of publication of the notice (**May 26, 2015**). The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the technical report(s) and draft certificate(s) please contact Ann Reece (503) 986-0834, Mary Grainey (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application	HE 610
County/Basin	Harney / Malheur Lake (12)
Applicant	ROARING SPRINGS RANCH INC.
Address	31437 HWY 205 FRENCHGLEN, OR 97736
Place of Use	35.00S 32.00E 25 NESW TL200
Sources/TRSQ40Q160	THREE MILE SPRINGS > THREE MILE CREEK / 35.00S 32.00E 25 SENW TL200
Purpose/Quantity	ELECTRICITY PRODUCTION / 1.000 CFS
Power developed	UP TO 24 THEORETICAL HORSEPOWER
Application	HE 611
County/Basin	Harney / Malheur Lake (12)
Applicant	ROARING SPRINGS RANCH INC.
Address	31437 HWY 205 FRENCHGLEN, OR 97736
Place of Use	34.00S 32.00E 05 NWNW TL200
Sources/TRSQ40Q160	ROARING SPRINGS > ROARING SPRINGS CREEK / 34.00S 32.00E 05 NENW TL200
Purpose/Quantity	ELECTRICITY PRODUCTION / 6.000 CFS
Power developed	UP TO 84 THEORETICAL HORSEPOWER

**TECHNICAL REPORT AND DRAFT LICENSE
FOR MINOR HYDROELECTRIC APPLICATION
HE 610 Roaring Springs Ranch Inc.**

Proposed Action:

Approve hydroelectric license application HE 610 with conditions.

NOTE:

This Technical Report and Draft License do NOT authorize the use of water for hydroelectric purposes. However, if all comments, objections, and protests on this Technical Report and Draft License are resolved in favor of the applicant, and upon payment of the remainder of the application fee (\$500.00) to the Oregon Water Resources Department (Department or OWRD) a final Hydroelectric License containing a time-limited water right with conditions will be issued to the Applicant authorizing the use of water for hydroelectric purposes.

A. APPLICATION HISTORY

On July 22, 2014, Roaring Springs Ranch, Inc. (Applicant) submitted an application for a minor hydroelectric license to divert up to 1.0 cubic feet per second (cfs) of water from Three Mile Springs, a tributary to Three Mile Creek, in Harney County, Oregon. Three Mile Creek ends in Three Mile Reservoir which is located on the Applicant's property. The proposed project will use about 210 feet of head to develop 24 theoretical horsepower (THP) to generate electricity for use on-site.

On August 5, 2014, notice of the application was included in the Department's weekly public notice and was distributed to county, state, regional and federal agencies.¹

The project was assigned Federal Energy Regulatory Commission (FERC) docket Number CD14-21-000. On August 26, 2014, FERC filed written notice that the Project meets the criteria for a "Qualifying Conduit Hydropower Facility" under the Federal Power Act (FPA) section 30(a), and thus is not required to be licensed under Part I of the FPA.

B. PROJECT DESCRIPTION

Water will be collected at Three Mile Spring using a pipe network constructed of four-inch diameter perforated pipes laid within four foot deep, three feet wide trenches, and covered by 3-inch drain rock. This pipe network will divert water from Three Mile Spring into a spring box.

¹ The federal, regional, state, and local agencies consulted include: Bureau of Land Management, Oregon Department of State Lands, County of Harney, Legislative Commission on Indian Services, National Marine Fisheries Service, National Park Service, Northwest Power and Conservation Council, Oregon Department of Agriculture, Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, Oregon Department of Forestry, Oregon Parks and Recreation Department - State Historic Preservation Office, Oregon Water Resources Department, , U.S. Fish and Wildlife Service, and U.S. Forest Service.

This spring box will be a precast concrete structure measuring 48” by 60,” and act as the spring manifold, capturing the spring water as it surfaces. The spring box will be at an approximate elevation of 4,867 feet. The outlet from the spring box will be a six-inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,800 feet in length and will drop 210 feet in elevation to the hydropower plant. After passing through the turbine, the water will discharge approximately 180 feet into Three Mile Creek, which runs into Three Mile Reservoir. The proposed project will connect to existing overhead transmission lines which are located near the powerhouse.

C. LOCATION

The point of diversion is located within Tax Lot 200, SE¼ NW¼, Section 25, Township 35 South, Range 32 East, Willamette Meridian (W.M.). The place of use is located within Tax Lot 200 of the NE¼ SW¼, Section 25, Township 35 South, Range 32 East, W.M.

D. WATER USE

Water availability: Water is available because it will be returned to Three Mile Creek after use.

This water right shall be subordinated to all other uses. The applicant reports head of 210 feet. Theoretical horsepower is calculated as $1 \text{ cfs} * 210 \text{ feet of head} / 8.8 = 24 \text{ THP}$.

Existing water rights: The proposed use will not interfere with an existing instream water right (Certificate 81724) on Three Mile Creek that is located in the wilderness above the project area. The Applicant holds water right Certificate 23501 for use of water from Three Mile Creek for irrigation, livestock watering and domestic use, and Certificate 33513 for supplemental irrigation. In addition, Certificate 33512 authorizes the use of water from Three Mile Creek for storage of 1600 acre-feet of water in Three Mile Reservoir, so water from this project will be returned to the creek or reservoir for other uses. The proposed use will utilize water already authorized under Certificates 23501, 33512 or 35513. Furthermore, the water used for this project will be returned to a reach of Three Mile Creek on the Applicant’s property so no other water users are affected. In summary, this project will not interfere with any existing rights or permits for the use of water.

Basin Program: The Malheur Lake Basin Program OAR 690-512-0040 (1) provides that the Department shall not accept an application for permit, or issue a permit, for any use of surface water, or of groundwater the use of which has the potential to substantially interfere with surface water, in Malheur Lake Basin unless the applicant shows, by a preponderance of evidence, that unappropriated water is available to supply the proposed use at the times and in the amounts requested. Because the use of the water for the proposed project is non-consumptive, there is no potential to substantially interfere with surface water in the Malheur Lake Basin.

E. STANDARDS (OAR 690-051-0160)

All proposed new minor (less than 100 theoretical horsepower) hydroelectric projects in Oregon, such as this Project, must meet the resource protection standards contain in OAR 690-051-0170 –0260 which implement the provisions of ORS 543.017, 543.225, and 543.255.

F. FINDINGS OF FACT

▪ Protection of Designated Resource Areas and Special Management Areas (OAR 690-051-0170)

The Project is an all privately owned lands and so is not part of any other special management area for a federal, state, city or county agency. The diversion point is not within a protected area designated by the Columbia River Basin Fish and Wildlife Program of the Northwest Power and Conservation Council. The Project is not located in the Columbia River Gorge as designated in OAR 390.460. The project is not located within a designated scenic waterway.

OWRD finds that the Project complies with the standards and requirements of this rule.

▪ Mitigation, No Net Loss (OAR 690-051-0180)

This application was submitted to federal, state, regional and county entities to ensure that natural resources were considered, these included: water quality, wildlife, scenic and aesthetic resources, historic, cultural, and archeological lands, forest resources, geology, fish life and recreation.

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, will result in no net loss of natural resources as detailed further below.

▪ Water Resources (OAR 690-051-190(1-8))

The applicant holds water right Certificate 23501 for use of water from Three Mile Creek for irrigation, domestic use and livestock watering, Certificate 33513 for supplemental irrigation, and Certificate 33512 for storage of 1600 acre-feet of water in Three Mile Reservoir. There are no other water users on the creek before it enters Three Mile Reservoir, thus water may be used without interfering or precluding other water rights. Project operation may occur year round.

The hydroelectric use is consistent with other Water Resources Policies and with achieving maximum economic development of the waters involved and with making the fullest practical use of the stream's hydroelectric potential. The Project will not constitute wasteful, uneconomic, impracticable, or unreasonable use of the waters involved.

Based on a review of the information contained in the file and in Section D above, OWRD finds that the Project complies with the standards and requirements of this rule.

- **Water Quality (OAR 690-051-0190(9))**

The Project shall be conditioned to require erosion and sediment controls to protect water quality consistent with standards in OAR 340-41.

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

- **Fish Resources (OAR 690-051-0200)**

After conducting a site visit and reviewing the application, ODFW staff found no significant impacts that would result from the permitting of the proposed hydroelectric project.

At ODFW's recommendation, the proposed use will be conditioned to provide that if at any time, unanticipated circumstances or emergency situations arise in which fish or wildlife are being killed, harmed or endangered by the project facilities, then the Applicant shall immediately take appropriate action to prevent further loss; within 24 hours, the Applicant shall notify the nearest ODFW office and comply with measures required by ODFW to prevent additional injury or mortality.

Staff of the Northwest Power and Conservation Council commented by email:

“After reviewing maps of the project location and comparing those maps to the protected area designations on the Streamnet website <http://map.streamnet.org/protectedquery/viewer.htm>, I have determined the proposed project occurs outside a hydroelectric development protected area. The entirety of Three Mile Creek in Harney County is in unprotected status for resident fish or for wildlife.” (Weist, August 5, 2014)

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

- **Wildlife (OAR 690-051-0210)**

There will be only temporary land disturbance during placement of the pipe network, the spring box, and the 1800 feet of 6-inch diameter pipeline and therefore, no significant disruption of wildlife.

The location, design, construction or operation of the proposed project will not jeopardize the continued existence of animal species that have been designated or officially identified as threatened or endangered, nor have adverse impacts been identified to wildlife, wildlife habitat, nesting and wintering grounds, or wildlife migratory routes.

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

- **Plant Life (OAR 690-051-0220)**

The location, design, construction or operation of the proposed project will not jeopardize the continued existence of plant species that have been officially proposed or designated as threatened or endangered.

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

- **Recreation (OAR 690-051-0230)**

Project facilities will be designed, located, constructed and operated to substantially avoid visible or audible intrusion on the existing environment. The proposed Project will not reduce the abundance or variety of recreational facilities or opportunities available in the vicinity.

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

- **Historic, Cultural and Archaeological Resources (OAR 690-051-0240)**

This Project was identified by the State Historic Preservation Office of Oregon as being within an area generally perceived to have a high probability for possessing archaeological sites and/or buried human remains. The Project shall be conditioned so that, if any cultural material is discovered during construction, all activities shall stop and the State Historic Preservation Office will be contacted to assess the discovery. It is a Class B misdemeanor to impact an archaeological site (ORS 358.905-955) and a Class C felony to impact Indian Burials (ORS 97-740-990).

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

- **Land Resources (OAR 690-051-0250)**

The proposed Project is located on a privately owned parcel of land. Adverse impacts on prime forest lands, high value or important farmlands, agricultural lands, or wetlands due to this project are not anticipated.

The location, design, construction or operation of the project will not disturb fragile or unstable soils, or cause soil erosion.

Project facilities shall be designed with appropriate safety standards with regards to geological hazards and naturally occurring conditions or hazards, such as flooding, landslides or ice formation.

Based on a review of the facts contained in the file, OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

▪ **Land Use (OAR 690-051-260)**

The proposed water use has been approved as being not regulated by the standards of Acknowledged Comprehensive Plans from the Harney county government.

Based on a review of the facts contained in the file, the OWRD finds that the Project, as conditioned, complies with the standards and requirements of this rule.

G. CONCLUSIONS OF LAW

Upon review of the application and input received from numerous state and federal agencies, OWRD finds that the proposed Project, with the conditions set forth below, will not violate the standards expressed in OAR 690-051-0160 through -0270, and is consistent with the public interest. The proposed Project is well adapted to the development and utilization of the water power involved.

H. LICENSE CONDITIONS

The proposed use of water is subject to the following express conditions:

1. The priority date for the proposed water right is July 22, 2014. Project operation is year round.
2. The proposed use of water is limited to the amount that the generation facilities can utilize efficiently, and shall not exceed the specifications noted in the water right. This water right is inferior in right and subsequent in time to any future appropriation of water upstream for beneficial consumptive uses.
3. The Applicant shall comply with all statutes and rules applicable to the Project.
4. The license is effective from the date of issuance through December 31, 2035. It is to be exercised consistent with the conditions contained in the license. This may be reauthorized under laws existing at that time.
5. The Applicant shall construct and build the Project according to the maps, plans and specifications filed with and approved by the OWRD within two years of issuance of the license or within any lawful extension thereof. The Project map will be incorporated into the license.
6. The Applicant will maintain the Project, and each part thereof, in good order and repair and in efficient operation, for the development and transmission of electricity to its reasonable capacity; shall make all necessary renewals and replacements as required; and shall maintain and operate the Project, and all parts thereof, conformably to the rules of the Water Resources Commission (Commission) not inconsistent with Oregon Revised Statutes (ORS) 543.010 to 543.610.

7. No voluntary transfer of the license or of any property acquired, constructed or operated pursuant to the license issued under ORS 543.010 to 543.610 shall be made without written approval of the Commission. Any successor or assignee of any license under any project acquired, constructed or operated by the Applicant, whether by voluntary transfer approved by the Commission or sale upon foreclosure, execution or otherwise, shall be subject to all the terms and conditions of the license and of the provisions of ORS 543.010 to 543.610 to the same extent as though the successor or assignee was the original Applicant. Any mortgage, deed of trust, or other lien suffered or created upon any such project shall be subject and subordinate to all the terms and conditions of ORS 543.010 to 543.610. However, the provisions of this section shall not apply to any transfer, voluntary or involuntary, to the state or any municipal corporation thereof, and upon such transfer the license shall terminate.
8. The Project must comply with the water quality standards stated in OAR Chapter 340, Division 41, ORS 468B.048, and Section 303 of the Clean Water Act. The Project must meet water quality requirements including numeric and narrative standards, protect beneficial uses, and not degrade existing water quality.
10. The Project shall be designed to minimize visual, aesthetic and noise impacts.
11. If any cultural material is discovered during Project construction, all activities should stop and an archaeologist contacted to assess the discovery. It is a Class B misdemeanor to impact an archaeological site (ORS 358.905-955) and a Class C felony to impact Indian Burials (ORS 97-740-990).
12. If at any time an unanticipated situation arises in which the owner or operator observes or suspects that fish, wildlife, or their habitat may be harmed by any of the project facilities or as the result of project operation, the operator shall immediately take appropriate action to prevent further loss. The operator shall, within 24 hours, notify the nearest office of the Oregon Department of Fish and Wildlife (ODFW) and comply with the measures required by ODFW to prevent additional injury or mortality. The owner shall subsequently restore any damaged fish and wildlife protection features of the project consistent with direction provided by ODFW.
13. The Applicant shall allow the OWRD Director and authorized agents and employees of the ODEQ, ODFW, and OWRD free and unrestricted access upon reasonable notice, in, through, and across the Project in the performance of their official duties, and shall allow free access to all reports, accounts, records, and other data relating to said Project.
14. Issuance of the license does not absolve the Applicant from compliance with the requirements and enforcement of the requirements under other applicable local, state, and federal laws.
15. The Applicant shall be liable for all damages occasioned to the persons or property of others by the construction, operation, or maintenance of the Project facilities, and in no event will the State of Oregon be liable therefore.

16. Use of water is governed by this license. However, the operations of the Project by the Applicant so far as those operations affect the use, storage and discharge from storage of waters affected by the Applicant, shall at all times be controlled by such reasonable rules as the Commission may prescribe for the protection of life, health and property, and in the interest of the fullest practicable conservation and utilization of such waters for power purposes and for other beneficial public uses.
17. The Applicant shall pay, upon receiving an invoice from OWRD, an annual fee to OWRD in the amount of \$24.00, (OAR 690-051-0400(6) and ORS 543A.415). This amount shall be due by the date specified on the invoice.
18. Consistent with ORS 540.610, if after completing construction of the Project, the Applicant fails to use or operate the Project facilities for any period of five consecutive years, the water right shall be subject to termination by OWRD. The Owner shall comply with the decommissioning standards under OAR 690-52.
19. Upon a decision to terminate the hydroelectric use, the Applicant shall comply with any decommissioning statutes and rules in effect at that time. (OAR 690-052).
20. The following requirements of ORS 543 are hereby waived, under authority of OAR 690-051-0350:
 - ORS 543.530 which relates to the issuance of bonds or other evidence of indebtedness and the control thereof by the Commission.
 - ORS 543.550 relating to liens against the Project and providing that any sale shall be of the whole property embraced in the Project unless a partial sale is approved by the OWRD Director.
 - ORS 543.560 which requires the Applicant to execute to the State of Oregon a bond to the effect that the Applicant shall promptly make payment to all persons supplying labor, material, machinery, etc.
21. Prior to receiving a final license, the Applicant shall pay the remainder of the application fee (\$500.00) to OWRD.

I. RECOMMENDATION

OWRD proposes to issue a hydroelectric license containing a time-limited water right for the Project that would allow the Applicant to use water to generate hydroelectricity as specified and conditioned above.

J. PROCESS FOR COMMENTS, OBJECTIONS, PROTESTS, CONTESTED CASE, AND JUDICIAL REVIEW

1. Comments and Objections to the Technical Report

This Technical Report has been distributed to the Applicant and all individuals, including all governmental agencies, who have filed timely comments with OWRD. **Comments and objections to this Technical Report must be received by the OWRD Director by 5:00 PM on May 26, 2015.**

Comments or objections must state facts which support the allegation that the proposed minor hydroelectric use should not be acted upon as proposed by the technical report. Upon receiving an objection, the OWRD Director will transmit the objection to the Applicant and all objectors, and commenters. Then, the OWRD Director will determine if the Technical Report was in error and, if so, issue a revised Technical Report or portion thereof. Any new Technical Report revisions shall be disseminated and reviewed for another 60-day comment period. OAR 690-051-0090 (3) (e).

2. Protests to Denials of Objections to the Technical Report

If an objection is not considered valid by the OWRD Director, the objector will be notified within 30 days. The objector will be allowed 30 days from the date of mailing of his or her denial to submit a protest. The form and content of the protest along with the filing and service procedure shall be in accordance with the standards set forth in OAR 690-002-0030 through 690-002-0080. If a protest is timely filed, the OWRD Director will refer the application, with accompanying objection and protest, for a contested case hearing.

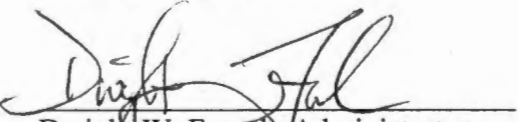
3. Contested Case between the Applicant and OWRD on the Technical Report

Any minor (less than 100 thp) project that would violate the standards in OAR 690-051-0190 through 690-051-0260 will be proposed for rejection by the OWRD. The Applicant may request a contested case hearing to dispute the Technical Report. OAR 690-051-0090 (4). OWRD will distribute a notice of filing a request for a contested case hearing to interested parties, commenters, and objectors.

4. Judicial Review of Final Water Hydroelectric License Containing a Time-limited Water Right

After all comments, protests, and contested cases on the Technical Report are finalized, a final hydroelectric license containing a time-limited water right may be issued to the Applicant. The final hydroelectric license may be a final order in other than contested case, subject to judicial review under ORS 183.484. Any petition for judicial review of the final hydroelectric license must be filed within 60 days of the date of service of the Hydroelectric License.

Issued March 24, 2015



Dwight W. French, Administrator
Water Right Services Division, *for*
Thomas M. Byler, Director
Oregon Water Resources Department

**STATE OF OREGON
COUNTY OF HARNEY
HYDROELECTRIC LICENSE**

THIS HYDROELECTRIC LICENSE ISSUED TO:

ROARING SPRINGS RANCH, INC (Licensee)
31437 HIGHWAY 205
FRENCHGLEN, OR 97736

confirms the right to use the waters of THREE MILE SPRINGS, tributary to THREE MILE CREEK for the HYDROELECTRIC PRODUCTION of 24 THEORETICAL HORSEPOWER (THP).

This hydroelectric license was filed under application HE 610. The date of priority is JULY 22, 2014. The maximum amount of water to be diverted is 1.0 CUBIC FEET PER SECOND (CFS) from JANUARY through DECEMBER of each year.

The point of diversion is located: Tax Lot 200, SE¼ NW¼, SECTION 25, TOWNSHIP 35 SOUTH, RANGE 32 EAST, W.M.

The authorized place of use is located: Tax Lot 200, NE¼ SW¼, SECTION 25, TOWNSHIP 35 SOUTH, RANGE 32 EAST, W.M.

The use of water is limited to the amount that the generation facilities can utilize efficiently and shall not exceed the specifications noted in the water right. This water right is inferior in right and subsequent in time to any future appropriation of water for beneficial consumptive use.

Appeal Rights

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law.

Project Description

The proposed project will be located entirely on the Licensee's property. Water will be collected at Three Mile Spring using a pipe network constructed of four-inch diameter perforated pipes laid within a 3 x 4 foot trench, and covered by 3-inch drain rock. This pipe network will divert water from Three Mile Spring into a spring box. This spring box will be a precast concrete structure measuring 48" by 60," and act as the spring manifold, capturing the spring water as it surfaces. The spring box will be at an approximate elevation of 4,867 feet.

The outlet from the spring box will be a six-inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,800 feet in length and will drop 210 feet in elevation to a 12 foot square hydropower plant equipped with a Pelton-type turbine with double nozzles and a customized induction generator. After passing through the turbine, the water will discharge approximately 180 feet into Three Mile Creek, which runs into Three Mile Reservoir.

The proposed project will connect to existing overhead transmission lines which are located near the powerhouse.

LICENSE CONDITIONS

1. The Licensee shall comply with all statutes and rules applicable to the Project.
2. This hydroelectric license is effective from the date of issuance through December 31, 2035, and is to be exercised consistent with the conditions contained in the license. This right may be reauthorized under laws existing at that time.
3. The Licensee shall construct and build the Project according to the maps, plans and specifications filed with and approved by Oregon Water Resources Department (OWRD) within two years of issuance of the license or within any lawful extension thereof. [ORS 543.300(2)]
4. The Licensee will maintain the Project, and each part thereof, in good order and repair and in efficient operation, for the development and transmission of electricity to its reasonable capacity; shall make all necessary renewals and replacements as required; and shall maintain and operate the Project, and all parts thereof, conformably to the rules of the Water Right Commission (Commission) not inconsistent with Oregon Revised Statutes (ORS) 543.010 to 543.610. [ORS 543.300(4)]
5. No voluntary transfer of the license or of any property acquired, constructed or operated pursuant to the license issued under ORS 543.010 to 543.610 shall be made without written approval of the Commission. Any successor or assignee of

any license under any Project acquired, constructed or operated by the Licensee, whether by voluntary transfer approved by the Commission or sale upon foreclosure, execution or otherwise, shall be subject to all the terms and conditions of the license and of the provisions of ORS 543.010 to 543.610 to the same extent as though the successor or assignee was the original Licensee thereunder. Any mortgage, deed of trust, or other lien suffered or created upon any such Project shall be subject and subordinate to all the terms and conditions of ORS 543.010 to 543.610. However, the provisions of this section shall not apply to any transfer, voluntary or involuntary, to the state or any municipal corporation thereof, and upon such transfer the license shall terminate. (ORS 543.440)

6. The Project must meet the water quality standards stated in OAR Chapter 340, Division 41, ORS 468B.048, and Section 303 of the Clean Water Act. The Project must meet water quality requirements including numeric and narrative standards, protect beneficial use, and not degrade existing water quality.
7. The Project shall be designed to minimize visual, aesthetic, and noise impacts.
8. If any cultural material is discovered during Project construction, all activities should stop and an archaeologist contacted to assess the discovery. It is a Class B misdemeanor to impact an archaeological site (ORS 358.905-955) and a Class C felony to impact Indian Burials (ORS 97-740-990).
9. If at any time an unanticipated situation arises in which the Licensee or operator observes or suspects that fish, wildlife, or their habitat may be harmed by any of the project facilities, or as the result of project operation, the operator shall immediately take appropriate action to prevent further loss. The operator shall, within 24 hours, notify the nearest office of the Oregon Department of Fish and Wildlife (ODFW) and comply with the measures required by ODFW to prevent additional injury or mortality. The Licensee shall subsequently restore any damaged fish and wildlife protection features of the project consistent with direction provided by ODFW.
10. The Licensee shall allow the OWRD Director and authorized agents and employees of the Oregon Department of Environmental Quality, ODFW, and OWRD free and unrestricted access upon reasonable notice, in, through, and across the Project in the performance of their official duties, and shall allow free access to all reports, accounts, records, and other data relating to said Project.
11. Issuance of the license does not absolve the Licensee from compliance with the requirements and enforcement of the requirements under other applicable local, state, and federal laws. The Licensee is made aware that permits may be required from the United State Army Corps of Engineers under Section 404 of the Clean Water Act, or from the Division of State Lands for removal and fill of material.

12. The Licensee shall be liable for all damages occasioned to the persons or property of others by the construction, operation, or maintenance of the Project facilities, and in no event will the State of Oregon be liable therefore.
13. Use of water is governed by this license. However, the operations of the Project by the Licensee, so far as those operations affect the use, storage and discharge from storage of waters affected by the Licensee, shall be at all times be controlled by such reasonable rules as the Commission may prescribe for the protection of life, health and property, and in the interest of the fullest practicable conservation and utilization of such waters for power purposes and for other beneficial public uses. [ORS 543.300(3)]
14. The Licensee shall pay, upon receiving an invoice from OWRD, an annual fee to OWRD in the amount of \$24.00 (OAR 690-051-0400(6) and ORS 543A.415 or subsequent statute). This amount shall be due by the date specified on the invoice.
15. Consistent with ORS 540.610, if after completing construction of the Project, the Licensee fails to use or operate the Project facilities for more than five consecutive years, the license shall be subject to termination by the OWRD. The Licensee shall comply with the decommissioning standards under OAR 690-52.
16. Upon a decision to terminate the hydroelectric use, the Licensee shall comply with any decommissioning statutes and rules in effect at that time. (OAR 690-052).

Upon review of the application and input received from state and federal agencies and private citizens, OWRD finds that the Project, with the conditions set forth above, will not violate the standards expressed in Oregon Administrative Rules (OAR) 690-051-0160 through -0270, and is consistent with the public interest. The Project is well adapted to the development and utilization of the water power involved.

Issued XXXXX

DRAFT - DO NOT SIGN

Dwight W. French, Administrator
Water Right Services Division, *for*
Thomas M. Byler, Director
Oregon Water Resources Department

REECE Ann L

From: REECE Ann L
Sent: Monday, April 27, 2015 11:00 AM
To: jake@polvi.net
Cc: GRIFFIN Dennis - SHPO
Subject: HE 610 - RE: SHPO Project #14-1309
Attachments: HE 610_Project site map.PDF

SentFromSession: REESE.reeceal.4/27/2015 8:17:54 AM

Jake,

To recap our phone conversation from this morning. I understand you have made contact with Dennis Griffin at SHPO to try to discern the location of the archaeological site 35HA354 relative to the location of the hydroelectric project, but have been unable to secure that information. As we discussed I am attaching a copy of the project site map to share with Mr. Griffin; hopefully that will enable a determination regarding any potential conflict between the archaeological site compared to the project site. I understand that there won't be any new sites excavated during the project – that the new pipeline will be installed at the same location as the existing pipeline.

Please let us know what you find out from SHPO.

The comment period for the for the proposed final order and draft certificate (license) ends May 26. Once the comment period ends, assuming no new issues are raised, and we receive the final fee payment the certificate (license) can be issued.

Best Regards,

Ann Reece

Water Right Services Division
Hydroelectric Analyst / Municipal Extension Specialist
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0834
reeceal@ wrd.state.or.us

REECE Ann L

From: GRIFFIN Dennis * OPRD <Dennis.Griffin@oregon.gov>
Sent: Monday, March 23, 2015 7:56 AM
To: REECE Ann L; REECE Ann L; STINE Chris; GRIFFIN Dennis * OPRD; jake@polvi.net; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E; roaringspringsranch@gmail.com; WISE Ted G
Subject: RE: HE 610 & 611 -- Roaring Springs hydroproject Technical Reports and Draft Certificates- Harney County, OR

Ann,

In reading through your technical reports I find that there is an error in the report for HE 610. Regarding Cultural Resources within the project area, our office wrote your office on 7 August 2014 that there was a known site within the proposed project area and that a survey of the area should be conducted to insure that no adverse effect to the known resource will occur through project activities. To date our office has heard nothing regarding the project. As written, your report states that our office approved that the project could proceed with attention being spent in case something appears during construction. This is what we wrote your office regarding HE 611 but not HE610. A cultural resource survey is needed for this project (HE610) before the project should be approved due to the presence of a known site (35HA354). If additional information is now known regarding the exact lands that will be impacted by this project, our office would appreciate receiving such data. The SHPO Case# for your HE610 project is 14-1309.

\ Dennis /

Dennis Griffin, Ph.D, RPA
State Archaeologist
Oregon State Historic Preservation Office
(503)986-0674
Dennis.Griffin@oregon.gov

Please note: My address has changed and it is now @Oregon.gov rather than the earlier @state.or.us.

From: REECE Ann L [mailto:ann.l.reece@state.or.us]
Sent: Friday, March 20, 2015 5:51 PM
To: REECE Ann L; STINE Chris; GRIFFIN Dennis * OPRD; jake@polvi.net; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E; roaringspringsranch@gmail.com; WISE Ted G
Subject: HE 610 & 611 -- Roaring Springs hydroproject Technical Reports and Draft Certificates- Harney County, OR

This is scheduled to be noticed on Tuesday, March 24, 2015.

Technical Reports and Draft Certificates for Two Minor Hydroelectric Projects

Comments are Due May 26, 2015

The Department seeks public comments and/or objections on these two technical reports and draft water right certificates for water use at minor hydroelectric projects. Comments and/or objections must be

submitted within 60 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the technical report(s) and draft certificate(s) please contact Ann Reece (503) 986-0834, Mary Grainey (503) 986-0833. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Best Regards,

Ann Reece

Water Right Services Division
Hydroelectric Analyst / Municipal Extension Specialist
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0834
reeceal@ wrd.state.or.us

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]
Sent: Friday, July 25, 2014 2:50 PM
To: STINE Chris; GRAINEY Mary S; DORAN Nancy E
Cc: REECE Ann L; LARKINS Autumn N; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Hi all,

I met this morning in Bend with Jake Polvi, a representative of Roaring Springs Ranch. Jake is handling the details of the Ranch's two proposed small hydro-developments and had thought that by going over the details of the project via site photos and aerial photos a site visit might not be necessary. While the photos were helpful, and it appears that ODFW's resource concerns might be fairly minor, I still think a site visit would be beneficial prior to providing feedback on the proposed projects. In discussing a time that works in his schedule and works for ODFW staff, Tuesday, August 12 seemed to be the best fit. With this in mind, Jake and I agreed on a meeting time of 10:30 am on August 12 for those interested in attending an on-site meeting to go over the specifics of the two projects. I apologize if this doesn't fit into some individuals schedules, but it's the best I could do given the time allotted for comments and other considerations.

Jake asked me to give him a heads up as to who will be attending, so if those of you who plan on participating would please let me know I'd appreciate it.

- Ted

Ted Wise
High Desert Region Hydropower Program Leader
Oregon Department of Fish and Wildlife
61374 Parrell Road
Bend, Oregon 97702
541-633-1115

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Wednesday, July 23, 2014 4:17 PM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Craig
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 2:20 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Tuesday, July 22, 2014 1:56 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Tuesday, July 22, 2014 9:39 AM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 8:20 AM
To: DORAN Nancy E; WISE Ted G
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]
Sent: Monday, July 21, 2014 5:26 PM
To: Ken Homolka; Nancy E Doran
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Monday, July 21, 2014 3:35 PM
To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM
To: nancy.e.doran@state.or.us; Ted Wise
Cc: GRAINEY Mary S
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.
Ken

From: Doug Young [mailto:doug_young@fws.gov]
Sent: Monday, July 21, 2014 12:11 PM
To: ken homolka
Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken – has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE, Ste C

Salem, OR 97301-1266

Phone (503) 986-0690

Fax (503) 986-0793

www.oregonheritage.org

August 7, 2014

Mr. Craig Kohanek

Oregon Water Resources

725 Summer St NE STE A

Salem, OR 97301

RECEIVED BY OWRD



AUG 12 2014

SALEM, OR

RE: SHPO Case No. 14-1309

OWRD Application HE 610 Roaring Springs Ranch

FOE/Hydroelectric application

OWRD

35S 32E 25, , Harney County

Dear Mr. Kohanek:

Our office recently received a request to review an application for the project referenced above. In checking our statewide archaeological database, it appears that there have been no previous archaeological surveys completed within the proposed project area, but an archaeological site (35HA354) appears to be located within the same tax lot in close proximity to the current project. The project area is located on a landform generally perceived to have a high probability for possessing archaeological sites and buried human remains.

In the absence of sufficient knowledge to pinpoint the exact location of cultural resources within your proposed project area, and due to the high likelihood of significant archaeological sites being present, we suggest that the applicant contact a professional archaeologist to conduct a archaeological survey of the project area. A list of archaeological consultants can be found on our web site (www.oregonheritage.org) by clicking on the Archaeological Services web page and highlighting the section marked Archaeological Consultants Directory. If you have not already done so, be sure to consult with all appropriate Indian tribes regarding your proposed project.

If you have any questions about the above comments or would like additional information, please feel free to contact me at your convenience. In order to help us track your project accurately, please be sure to reference the SHPO case number above in all correspondence.

Sincerely,

Dennis Griffin, Ph.D., RPA

State Archaeologist

(503) 986-0674

dennis.griffin@oregon.gov



FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Docket No. CD14-21-000 – Oregon
Three Mile Hydropower Project
Roaring Springs Ranch

Mr. Darryl Anderson
Anderson Engineering & Surveying, Inc.
17681 Highway 395
Lakeview, OR 97630

August 26, 2014

Subject: Determination that the Three Mile Hydropower Project Meets the Qualifying
Conduit Hydropower Facility Criteria

Dear Mr. Anderson:

On June 23, 2014, you filed a notice of intent on behalf of the Roaring Springs Ranch, pursuant to section 30(a) of the Federal Power Act (FPA), 16 U.S.C. § 823a (2012), as amended by Section 4 of the Hydropower Regulatory Efficiency Act of 2013, Pub. L. 113-23, § 4a, 127 Stat. 493 (2013), to construct a qualifying conduit hydropower facility, the Three Mile Hydropower Project, to be located in Harney County, Oregon.

On July 7, 2014, Commission staff issued a public notice that preliminarily determined that the project met the statutory criteria for a qualifying conduit hydropower facility, and thus was not required to be licensed under Part I of the FPA. The notice established a 45-day period for entities to contest whether the project met the criteria. No comments were filed in response to the notice. Accordingly, this letter constitutes a written determination that the Three Mile Hydropower Project meets the qualifying criteria under FPA section 30(a), and is not required to be licensed under Part I of the FPA.

If you have any questions, please contact Mr. Christopher Chaney at (202) 502-6778 or christopher.chaney@ferc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Houff". The signature is fluid and cursive, with the first name "Kelly" and last name "Houff" clearly distinguishable.

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance



Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

High Desert Region

61374 Parrell Road

Bend, OR 97702

(541) 388-6363

FAX (541) 388-6281

September 4, 2014

Craig Kohanek
Hydroelectric Project Analyst
Oregon Water Resources Department
Commerce Building
158 12th Street, NE
Salem, OR 97310-0210
ron.c.kohanek@state.or.us

BY ELECTRONIC FILING

Subject: ODFW Comments on Roaring Springs Ranch Inc., Application for a New Minor Hydroelectric Water Right. (HE 610)

Dear Mr. Kohanek:

Thank you for the opportunity to comment on the Roaring Springs Ranch Inc. (RSR), Application for a new minor hydroelectric water right (HE 610). Oregon Department of Fish and Wildlife (ODFW), has the following comments:

Upon review, including a field visit to the proposed project site ODFW is not aware of any significant impacts resulting from permitting of the proposed hydroelectric project.

ODFW recommends the proposed hydroelectric water right permit be quite clear as to the specifics of timing of its use and the fact that is directly tied to existing seasonable irrigation water right and operations associated with agricultural needs.

ODFW further recommends that the permitting of the Hydroelectric Water right/permit include the provision that if at any time, unanticipated circumstances or emergency situations arise in which fish or wildlife are being killed, harmed or endangered by any of the project facilities RSR shall immediately take appropriate action to prevent further loss. RSR shall within 24 hours, shall notify the nearest ODFW office and comply with measures required by ODFW to prevent additional injury or mortality.

Please note the accompanying Appendix A, containing responses to Oregon Water Resource Department's questionnaire pertaining to this application.

In closing ODFW appreciates the opportunity to provide input on the proposed project. Should you have any questions pertaining to these comments please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ted Wise', with a stylized flourish at the end.

Ted Wise
High Desert Hydropower Coordinator
61374 Parrell Road
Bend, Oregon 97701
541-633-1115
Ted.g.wise@state.or.us

Appendix A.

OWRD Questionnaire

RE: HE 610

1. Is the project located in any of the following areas?

...

J. State wildlife refuges

YES or NO If YES, please specify:

11. Will project facilities and operations have significant adverse impacts on fish populations?

YES or NO Explain:

12. Will project facilities and operations unreasonably interfere with upstream and downstream passage of fish through the project vicinity? (If the answer is yes, the OWRD Director, or in cases where the final order is approved by the Commission, the Commission may make exceptions in special cases where fish populations have been significantly damaged by past activities and the proposed single- or multiple-purpose project development will improve existing fish populations).

YES or NO Explain:

13. Have project facilities and operation been designed to mitigate, to the greatest extent practicable, adverse impacts upon spawning, rearing or other habitat areas necessary to maintain the levels and existing diversity of fish species?

YES or NO Explain:

14. Will unavoidable adverse impacts on fish or to fish management programs be mitigated?

YES or NO Explain: None Expected

15. Are project construction, timing and procedures designed to minimize fishery impacts from instream construction work and premature or unnecessary land clearing and disturbances?

YES or NO Explain: Applicant has agreed to design return flow pipe to minimize or eliminate attraction flow.

16. Are all fishery protective measures scheduled to be fully functional when the project commences operations?

YES or NO Explain: See #15

17. Is the proposed project consistent with ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

18. Is any part of the project located on a river or stream reach used by wild game fish, or that would adversely affect wild game fish?

YES or **NO** Explain:

19. If the answer to question 18 is YES, the project shall include mitigation measures which:

A. Are located in the project vicinity.

Explain:

B. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

C. Will prevent a net loss to individual species of wild game fish.

Explain:

D. Will prevent conversion of a wild game fish population and fishery to a hatchery dependent resource.

Explain:

E. Are consistent with ODFW management plans and programs in force on the effective date of these rules.

Explain:

F. Employ workable and generally accepted methods and techniques of mitigation best suited to the affected fish resource(s).

Explain:

20. If proposed at an undeveloped site, is it reasonably foreseeable that the location, design, construction or operation of the project may result in mortality or injury to an individual anadromous salmon or steelhead or loss of any salmon or steelhead habitat?

Explain: No, Non- anadromous basin

21. Modification of an existing facility or project on a stream reach used by anadromous salmon or steelhead or providing anadromous salmon or steelhead habitat shall include measures that:

A. Are reasonably certain to restore, enhance or improve existing salmon and steelhead populations in the affected river.

Explain:

B. Comply with wild game fish standards in paragraphs (2)(a)(C) and (D) of OAR 690-051-0200 if the affected salmon or steelhead populations contain wild fish.

Explain:

C. Are consistent with ODFW Fishery management plans and programs in force on the effective date of these rules.

Explain:

D. Employ workable and generally accepted methods and techniques best suited to the fish resources affected by the proposed project.

Explain:

E. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

23. Will the location, design, construction or operation of the proposed project jeopardize the continued existence of animal species that have been:

A. Designated, or officially proposed by the USFWS, or the NMFS (NOAA-FISHERIES-Fisheries) as threatened or endangered pursuant to the Endangered Species Act of 1973;

YES or **NO** Explain:

B. Identified by the Oregon Natural Heritage Data Base as endangered, threatened or limited in Oregon; or

YES or **NO** Explain:

C. Identified by the Oregon Fish and Wildlife Commission as threatened or endangered in Oregon.

YES or **NO** Explain:

24. Will the location, design, construction and operation of project facilities minimize adverse impacts on wildlife habitat, nesting and wintering grounds, and wildlife migratory routes?

YES or NO Explain:

25. Will project construction methods and scheduling minimize disruption of wildlife and avoid premature or unnecessary land clearing in the project vicinity?

YES or NO Explain

26. Will unavoidable adverse impacts on wildlife or wildlife habitat be mitigated in the project vicinity by methods such as replacement of vegetation, regulation of reservoir levels, creation of aquatic habitat, improvements in wildlife carrying capacity in the project vicinity or acquisition of land or management rights?

YES or **NO** Explain:

27. Will the project be consistent with applicable ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

44. Will adverse impacts on wetlands as defined by OAR 141-085-0010(20) or identified by the Oregon Natural Heritage Database be avoided, minimized, or offset by acceptable mitigation?

YES or NO Explain:

KOHANEK Craig

From: Lickwar, Peter <peter_lickwar@fws.gov>
Sent: Monday, August 11, 2014 3:20 PM
To: ron.c.kohaneke@state.or.us; WISE Ted G
Subject: Re: Fwd: Minor hydroelectric application for Roaring Springs Ranch

GreetingS;

I'm with the USFWS in Bend, Oregon, and your inquiries about the two proposed Roaring Springs hydro projects were forwarded to me. I've been looking into the proposed hydros, and talking to the ODFW's Ted Wise about them. My understanding is that the water for the Three Mile Project is already screened, and the water for the Headquarters Project is from a spring source that has no fish. Based on the available information, it does not appear that the project's will have adverse affects to federal trust resources, ESA species, federal reservations, or USFWS conservation projects. Thus, the USFWS will not be making any filings with FERC regarding them.

Thanks,

Peter

KOHANEK Craig

From: Wilcox, Jana <jawilcox@blm.gov>
Sent: Monday, August 11, 2014 8:23 AM
To: KOHANEK Craig
Subject: Re: Minor hydroelectric application notification HE 610 for Roaring Springs Ranch
Attachments: Reply Roaring Springs Hydro Project.docx

Hi Ron,
Attached is the BLM response to the questionnaire concerning The Roaring Springs Hydro Project.

Jana A. Wilcox
District Water Rights Specialist
Burns BLM
541-573-4438

On Mon, Aug 11, 2014 at 7:23 AM, Wilcox, Thomas <t2wilcox@blm.gov> wrote:
1. Is the project located in any of the following areas?

A. National parks

YES or **NO** If YES, please specify:

B. National monuments

YES or **NO** If YES, please specify:

C. Wilderness areas established by federal law

YES or **NO** If YES, please specify:

However, the Steens Mountain Wilderness boundary is approximately 300' due north of the point of diversion

D. Bureau of Land Management areas of critical environmental concern established under federal law

YES or **NO** If YES, please specify:

E. Wild and scenic rivers established by federal law

YES or **NO** If YES, please specify:

...

G. Federal research natural areas established under federal regulation

YES or **NO** If YES, please specify:

45. Will project facilities be designed and located to avoid or minimize adverse impacts on:

...

B. Scenic and aesthetic resources identified by state or federal agencies as outstanding, significant or deserving special protection.

YES or NO Explain:

On Fri, Aug 8, 2014 at 8:48 AM, Wilcox, Jana <jawilcox@blm.gov> wrote:

Roaring Springs Hydro Project - Questionnaire for 30 day comment sent out from OWRD - some questions are under your expertise concerning WSR and scenic , aesthetic ect...

Jana A. Wilcox
District Water Rights Specialist
Burns BLM
541-573-4438

----- Forwarded message -----

From: **KOHANEK Craig** <ron.c.kohaneck@state.or.us>

Date: Tue, Aug 5, 2014 at 2:15 PM

Subject: RE: Minor hydroelectric application notification HE 610 for Roaring Springs Ranch

To: "jawilcox@blm.gov" <jawilcox@blm.gov>

Jana,

To Whom It May Concern:

The Oregon Water Resources Department (OWRD) is currently reviewing HE 610, an application by Roaring Springs Ranch Inc., for a new minor hydroelectric water right in Harney County. Application HE 610 is for 448.83 gallons per minute (1.0 cubic feet per second) of water from Three Mile Spring, tributary to Three Mile Creek, tributary to Catlow Valley. The project will use 210 feet of head to develop 24 theoretical horsepower that will be sold to Harney County Electric.

The point of diversion for this project is within the SE ¼ NW ¼ of Section 25, Township 35 South, Range 32 East, W.M.. The proposed project begins at Three Mile Spring where perforated pipe and three inch drain rock trenches develop a pipe network that flow into a spring box. The spring box will be a 48" by 60" precast concrete structure that will act as the spring water manifold and capture the spring water as it surfaces. The pipe network will consist of four inch perforated pipe laid in a four foot deep, three foot wide trench of three inch drain rock. The four inch perforated pipe will drain into the spring box while the outlet will be a six inch Schedule 40 poly-vinyl chloride (PVC) pipe. This pipe, approximately 1800 feet in length and dropping 210 feet in elevation, will be connected to a double nozzle Pelton type turbine and custom induction generator. No fish screen should be required as there are no fish present at the spring where the waters diverted.

After passing through the turbine, the water will discharge into Three Mile Creek. The project water will be metered to ensure compliance with the water right rate and the project will have a by-pass valve capable of diverting all of the flow.

Consultation

A “minor” hydroelectric project is any project generating less than 100 theoretical horsepower. As part of OWRD’s application review process, a number of state and federal agencies must be consulted. This is the consultation and questionnaire for this application as it relates to your agency. A copy of the application is attached for your review.

The OWRD respectfully requests input from your agency on several questions that are specific to your agency’s area of expertise. You may also submit general comments on the application, including whether your agency has any statutes, rules, permit requirements, etc., that apply to this project.

The OWRD has developed this questionnaire to fulfill the agency consultation requirement contained in Oregon Administrative Rules (OAR) 690-051-0060 and to generate information to enable the OWRD to make findings of fact on whether this application satisfies the resource protection standards contained in OAR 690-051-190 to OAR 690-51-260.

Please respond to each of the questions below concerning this application as they may relate to your agency’s expertise, statutes, rules and other requirements. If you have additional comments, please include them. If you have no concerns regarding the application, you may state, “NO CONCERNS” and submit your reply to OWRD as indicated below.

Responses should be sent by reply e-mail to Ron.c.kohanek@wrdd.state.or.us or U.S. mail as shown below. Comments must be received by 5:00 PM on **September 4, 2014**.

Please Respond To These Questions:

1. Is the project located in any of the following areas?

A. National parks

YES or NO If YES, please specify:

B. National monuments

YES or NO If YES, please specify:

C. Wilderness areas established by federal law

YES or NO If YES, please specify:

D. Bureau of Land Management areas of critical environmental concern established under federal law

YES or NO If YES, please specify:

E. Wild and scenic rivers established by federal law

YES or NO If YES, please specify:

...

G. Federal research natural areas established under federal regulation

YES or NO If YES, please specify:

45. Will project facilities be designed and located to avoid or minimize adverse impacts on:

...

B. Scenic and aesthetic resources identified by state or federal agencies as outstanding, significant or deserving

special protection.
YES or NO Explain:

Next Step In The Process:

After the current 30-day comment period expires, OWRD will evaluate all public and agency comments and will prepare a technical report and draft water right (if OWRD recommends approval of the water right). The technical report will be issued for a 60-day comment period. If your agency does not submit any comments on the technical report and draft water right by the end of the 60-day comment period, OWRD will assume that your agency has no concerns on whether the application meets applicable resource protection standards, and/or your agency has no rules or regulations applicable to the project.

If you have any questions or concerns, please call me at 503-986-0823.

Thank you very much for your cooperation and input concerning this application.

Sincerely,

Ron C. Kohanek

Hydroelectric Project Analyst

Oregon Water Resources Department

Phone: 503-986-0823

Fax: 503-986-0901

Ron.C.Kohanek@wrd.state.or.us

1. Is the project located in any of the following areas?

A. National parks

YES or NO If YES, please specify:

B. National monuments

YES or NO If YES, please specify:

C. Wilderness areas established by federal law

YES or NO If YES, please specify:

D. Bureau of Land Management areas of critical environmental concern established under federal law

YES or NO If YES, please specify: Project area is located on private.

E. Wild and scenic rivers established by federal law

YES or NO If YES, please specify:

...

G. Federal research natural areas established under federal regulation

YES or NO If YES, please specify:

45. Will project facilities be designed and located to avoid or minimize adverse impacts on:

...

B. Scenic and aesthetic resources identified by state or federal agencies as outstanding, significant or deserving special protection.

YES or NO Explain The Steens Mountain Wilderness boundary is approximately 300' due north of the point of diversion. There will be some noise generated by the power plant which is near the Wilderness boundary. This noise does have the ability to affect "solitude" which is an outstanding resource value for Wilderness. However, Federal Agencies cannot regulate noise emitted from private property.

KOHANEK Craig

From: Ted Wise <ted.g.wise@state.or.us>
Sent: Wednesday, August 06, 2014 11:09 AM
To: KOHANEK Ron C
Cc: STINE Chris; HOMOLKA Ken; DORAN Nancy E
Subject: RE: Minor hydroelectric application notification HE 610 for Roaring Springs Ranch

Craig,

Thanks for the opportunity to provide comment on the two Roaring Springs Ranch projects. I have a site visit scheduled for next Tuesday. August 12, with the Roaring Springs Ranch folks to take a quick look at the proposed projects. As soon as possible thereafter, we'll respond to the questions included in your email, along with any other comments, concerns or lack thereof.

- Ted

Ted Wise
High Desert Region Hydropower Program Leader
Oregon Department of Fish and Wildlife
61374 Parrell Road
Bend, Oregon 97702
541-633-1115

From: KOHANEK Craig [mailto:ron.c.kohane@state.or.us]
Sent: Tuesday, August 05, 2014 10:06 AM
To: WISE Ted G
Cc: HOMOLKA Ken; DORAN Nancy E
Subject: Minor hydroelectric application notification HE 610 for Roaring Springs Ranch

Ted,

The Oregon Water Resources Department (OWRD) is currently reviewing HE 610, an application by Roaring Springs Ranch Inc., for a new minor hydroelectric water right in Harney County. Application HE 610 is for 448.83 gallons per minute (1.0 cubic feet per second) of water from Three Mile Spring, tributary to Three Mile Creek, tributary to Catlow Valley. The project will use 210 feet of head to develop 24 theoretical horsepower that will be sold to Harney County Electric.

The point of diversion for this project is within the SE ¼ NW ¼ of Section 25, Township 35 South, Range 32 East, W.M.. The proposed project begins at Three Mile Spring where perforated pipe and three inch drain rock trenches develop a pipe network that flow into a spring box. The spring box will be a 48" by 60" precast concrete structure that will act as the spring water manifold and capture the spring water as it surfaces. The pipe network will consist of four inch perforated pipe laid in a four foot deep, three foot wide trench of three inch drain rock. The four inch perforated pipe will drain into the spring box while the outlet will be a six inch Schedule 40 poly-vinyl chloride (PVC) pipe. This pipe, approximately 1800 feet in length and dropping 210 feet in elevation, will be connected to a double nozzle Pelton type turbine and custom induction generator. No fish screen should be required as there are no fish present at the spring where the waters diverted.

After passing through the turbine, the water will discharge into Three Mile Creek. The project water will be metered to ensure compliance with the water right rate and the project will have a by-pass valve capable of diverting all of the flow.

Consultation

A "minor" hydroelectric project is any project generating less than 100 theoretical horsepower. As part of OWRD's application review process, a number of state and federal agencies must be consulted. This is the consultation and questionnaire for this application as it relates to your agency. A copy of the application is attached for your review.

The OWRD respectfully requests input from your agency on several questions that are specific to your agency's area of expertise. You may also submit general comments on the application, including whether your agency has any statutes, rules, permit requirements, etc., that apply to this project.

The OWRD has developed this questionnaire to fulfill the agency consultation requirement contained in Oregon Administrative Rules (OAR) 690-051-0060 and to generate information to enable the OWRD to make findings of fact on whether this application satisfies the resource protection standards contained in OAR 690-051-190 to OAR 690-51-260.

Please respond to each of the questions below concerning this application as they may relate to your agency's expertise, statutes, rules and other requirements. If you have additional comments, please include them. If you have no concerns regarding the application, you may state, "NO CONCERNS" and submit your reply to OWRD as indicated below.

Responses should be sent by reply e-mail to Ron.c.kohanek@wrdd.state.or.us or U.S. mail as shown below. Comments must be received by 5:00 PM on **September 4, 2014**.

Please Respond To These Questions:

1. Is the project located in any of the following areas?

...

J. State wildlife refuges

YES or NO If YES, please specify:

11. Will project facilities and operations have significant adverse impacts on fish populations?

YES or NO Explain:

12. Will project facilities and operations unreasonably interfere with upstream and downstream passage of fish through the project vicinity? (If the answer is yes, the OWRD Director, or in cases where the final order is approved by the Commission, the Commission may make exceptions in special cases where fish populations have been significantly damaged by past

activities and the proposed single- or multiple-purpose project development will improve existing fish populations).

YES or NO Explain:

13. Have project facilities and operation been designed to mitigate, to the greatest extent practicable, adverse impacts upon spawning, rearing or other habitat areas necessary to maintain the levels and existing diversity of fish species?

YES or NO Explain:

14. Will unavoidable adverse impacts on fish or to fish management programs be mitigated?

YES or NO Explain:

15. Are project construction, timing and procedures designed to minimize fishery impacts from instream construction work and premature or unnecessary land clearing and disturbances?

YES or NO Explain:

16. Are all fishery protective measures scheduled to be fully functional when the project commences operations?

YES or NO Explain:

17. Is the proposed project consistent with ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

18. Is any part of the project located on a river or stream reach used by wild game fish, or that would adversely affect wild game fish?

YES or NO Explain:

19. If the answer to question 18 is YES, the project shall include mitigation measures which:

A. Are located in the project vicinity.

Explain:

B. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

C. Will prevent a net loss to individual species of wild game fish.

Explain:

D. Will prevent conversion of a wild game fish population and fishery to a hatchery dependent resource.

Explain:

E. Are consistent with ODFW management plans and programs in force on the effective date of these rules.

Explain:

F. Employ workable and generally accepted methods and techniques of mitigation best suited to the affected fish resource(s).

Explain:

20. If proposed at an undeveloped site, is it reasonably foreseeable that the location, design, construction or operation of the project may result in mortality or injury to an individual anadromous salmon or steelhead or loss of any salmon or steelhead habitat?

Explain:

21. Modification of an existing facility or project on a stream reach used by anadromous salmon or steelhead or providing anadromous salmon or steelhead habitat shall include measures that:

A. Are reasonably certain to restore, enhance or improve existing salmon and steelhead populations in the affected river.

Explain:

B. Comply with wild game fish standards in paragraphs (2)(a)(C) and (D) of OAR 690-051-0200 if the affected salmon or steelhead populations contain wild fish.

Explain:

C. Are consistent with ODFW Fishery management plans and programs in force on the effective date of these rules.

Explain:

D. Employ workable and generally accepted methods and techniques best suited to the fish resources affected by the proposed project.

Explain:

E. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

23. Will the location, design, construction or operation of the proposed project jeopardize the continued existence of animal species that have been:

A. Designated, or officially proposed by the USFWS, or the NMFS (NOAA-FISHERIES-Fisheries) as threatened or endangered pursuant to the Endangered Species Act of 1973;

YES or NO Explain:

B. Identified by the Oregon Natural Heritage Data Base as endangered, threatened or limited in Oregon; or

YES or NO Explain:

C. Identified by the Oregon Fish and Wildlife Commission as threatened or endangered in Oregon.

YES or NO Explain:

24. Will the location, design, construction and operation of project facilities minimize adverse impacts on wildlife habitat, nesting and wintering grounds, and wildlife migratory routes?

YES or NO Explain:

25. Will project construction methods and scheduling minimize disruption of wildlife and avoid premature or unnecessary land clearing in the project vicinity?

YES or NO Explain:

26. Will unavoidable adverse impacts on wildlife or wildlife habitat be mitigated in the project vicinity by methods such as replacement of vegetation, regulation of reservoir levels, creation of aquatic habitat, improvements in wildlife carrying capacity in the project vicinity or acquisition of land or management rights?

YES or NO Explain:

27. Will the project be consistent with applicable ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

44. Will adverse impacts on wetlands as defined by OAR 141-085-0010(20) or identified by the Oregon Natural Heritage Database be avoided, minimized, or offset by acceptable mitigation?

YES or NO Explain:

Next Step In The Process:

After the current 30-day comment period expires, OWRD will evaluate all public and agency comments and will prepare a technical report and draft water right (if OWRD recommends approval of the water right). The technical report will be issued for a 60-day comment period. If your agency does not submit any comments on the technical report and draft water right by the end of the 60-day comment period, OWRD will assume that your agency has no concerns on whether the application meets applicable resource protection standards, and/or your agency has no rules or regulations applicable to the project.

If you have any questions or concerns, please call me at 503-986-0823.

Thank you very much for your cooperation and input concerning this application.

Sincerely,

Ronald C. Kohanek
Hydroelectric Project Analyst
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrd.state.or.us

KOHANEK Craig

From: Weist, Karl <kweist@nwcouncil.org>
Sent: Tuesday, August 05, 2014 3:23 PM
To: 'KOHANEK Craig'
Subject: RE: Minor hydroelectric application notification HE 610 for Roaring Springs Ranch
Attachments: HE 610 Roaring Springs Ranch 8-14.docx

Craig, thanks for the opportunity to review the application. Attached are our comments.

KARL

One cannot be betrayed if one has no people.

From: KOHANEK Craig [mailto:ron.c.kohane@state.or.us]
Sent: Tuesday, August 05, 2014 10:19 AM
To: Weist, Karl
Subject: Minor hydroelectric application notification HE 610 for Roaring Springs Ranch

Karl,

The Oregon Water Resources Department (OWRD) is currently reviewing HE 610, an application by Roaring Springs Ranch Inc., for a new minor hydroelectric water right in Harney County. Application HE 610 is for 448.83 gallons per minute (1.0 cubic feet per second) of water from Three Mile Spring, tributary to Three Mile Creek, tributary to Catlow Valley. The project will use 210 feet of head to develop 24 theoretical horsepower that will be sold to Harney County Electric.

The point of diversion for this project is within the SE ¼ NW ¼ of Section 25, Township 35 South, Range 32 East, W.M.. The proposed project begins at Three Mile Spring where perforated pipe and three inch drain rock trenches develop a pipe network that flow into a spring box. The spring box will be a 48" by 60" precast concrete structure that will act as the spring water manifold and capture the spring water as it surfaces. The pipe network will consist of four inch perforated pipe laid in a four foot deep, three foot wide trench of three inch drain rock. The four inch perforated pipe will drain into the spring box while the outlet will be a six inch Schedule 40 poly-vinyl chloride (PVC) pipe. This pipe, approximately 1800 feet in length and dropping 210 feet in elevation, will be connected to a double nozzle Pelton type turbine and custom induction generator. No fish screen should be required as there are no fish present at the spring where the waters diverted.

After passing through the turbine, the water will discharge into Three Mile Creek. The project water will be metered to ensure compliance with the water right rate and the project will have a by-pass valve capable of diverting all of the flow.

Consultation

A "minor" hydroelectric project is any project generating less than 100 theoretical horsepower. As part of OWRD's application review process, a number of state and federal agencies must be consulted. This is the consultation and questionnaire for this application as it relates to your agency. A copy of the application is attached for your review.

The OWRD respectfully requests input from your agency on several questions that are specific to your agency's area of expertise. You may also submit general comments on the application, including whether your agency has any statutes, rules, permit requirements, etc., that apply to this project.

The OWRD has developed this questionnaire to fulfill the agency consultation requirement contained in Oregon

Administrative Rules (OAR) 690-051-0060 and to generate information to enable the OWRD to make findings of fact on whether this application satisfies the resource protection standards contained in OAR 690-051-190 to OAR 690-51-260.

Please respond to each of the questions below concerning this application as they may relate to your agency's expertise, statutes, rules and other requirements. If you have additional comments, please include them. If you have no concerns regarding the application, you may state, "NO CONCERNS" and submit your reply to OWRD as indicated below.

Responses should be sent by reply e-mail to Ron.c.kohane@wrđ.state.or.us or U.S. mail as shown below. Comments must be received by 5:00 PM on **September 4, 2014**.

Please Respond To These Questions:

1. Is the project located in an area of concern to your agency such as ... a Federal research natural area established under federal regulation?

YES or NO If YES, please specify:

28. If within the Columbia River Basin, will the project be consistent with the provisions of the NPPC's Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan?

YES or NO Explain:

45. Will project facilities be designed and located to avoid or minimize adverse impacts on:

...

B. Scenic and aesthetic resources identified by state or federal agencies as outstanding, significant or deserving special protection.

YES or NO Explain:

Next Step In The Process:

After the current 30-day comment period expires, OWRD will evaluate all public and agency comments and will prepare a technical report and draft water right (if OWRD recommends approval of the water right). The technical report will be issued for a 60-day comment period. If your agency does not submit any comments on the technical report and draft water right by the end of the 60-day comment period, OWRD will assume that your agency has no concerns on whether the application meets applicable resource protection standards, and/or your agency has no rules or regulations applicable to the project.

If you have any questions or concerns, please call me at 503-986-0823.

Thank you very much for your cooperation and input concerning this application.

Sincerely,

Ronald C. Kohanek
Hydroelectric Project Analyst
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrd.state.or.us

August 5, 2014

**Oregon Water Resources Department
ATTN: R. Craig Kohanek
725 Summer St. NE
Salem, OR 97301-1271**

RE: Comments of the Northwest Power and Conservation Council regarding HE 610 application for Roaring Springs Ranch Inc.

Dear Mr. Kohanek:

The Northwest Power and Conservation Council (Council) has reviewed the application for a “minor” hydroelectric water right for HE 610 from Roaring Springs Ranch Inc. and offers the following comments in response to the three questions you addressed to the Council.

Questions

1. Is the project located in an area of concern to your agency such as ... a Federal research natural area established under federal regulation?

NO.

28. If within the Columbia River Basin, will the project be consistent with the provisions of the NPPC's Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan? Certification of compliance by the NPPC shall satisfy this standard.

YES.. Explain: The proposed project is outside the Columbia River Basin, but appears to be consistent with the provisions of the Council's Fish and Wildlife Program regarding areas to be protected from future hydroelectric development, known as the "Protected Areas" portion of the program. This is true even though the project is located outside the Columbia basin.

The Council developed the “Protected Areas List” as part of the 1988 Fish and Wildlife Program and has continued to include a Protected Areas section through the current 2009 Program. The list identifies stream reaches throughout the northwest states that are free from hydroelectric development and that support important fish and wildlife resources and so should remain free from such development. The list included streams not in the Columbia Basin drainage. At the time the Council adopted the Protected Areas list and the provisions to protect these sensitive resources from hydroelectric development, the Council believed that protecting only the streams located in the Columbia basin would focus pressure for hydroelectric development on streams outside the basin that also contained sensitive fish and wildlife resources (and were within the Northwest service and transmission territories of Bonneville and its customers). We were concerned that allowing such impacts on fish and wildlife populations outside the basin could eventually put additional pressure back on fish and wildlife resources within the Columbia Basin.

Thus, we adopted our Protected Areas to include the geographic area of the four northwest states, including areas outside the Columbia Basin such as the Illinois River drainage.

However, after reviewing maps of the project location and comparing those maps to the protected area designations on the Streamnet website <http://map.streamnet.org/protectedquery/viewer.htm>, I have determined the proposed project occurs outside a hydroelectric development protected area. The entirety of Three Mile Creek in Harney County is in unprotected status for resident fish or for wildlife..

I have enclosed a copy of the Program's Hydroelectric Development Conditions from our current Fish and Wildlife Program for your information.

45. Will project facilities be designed and located to avoid or minimize adverse impacts on:

...

B. Scenic and aesthetic resources identified by state or federal agencies as outstanding, significant or deserving special protection.

YES. Explain: Please see the explanation to question 28, above.

Please feel free to contact Peter Paquet, John Shurts or me with any question you might have regarding this application. Thank you for considering our comments.

Sincerely,

Karl Weist
Fish and Wildlife Policy Analyst – Oregon Office
Northwest Power and Conservation Council
503-229-5192

Appendix B - Hydroelectric Development Conditions

Future Hydroelectric Development

Much of this program has focused on mitigating damage done to Columbia River Basin fish and wildlife by hydropower development and operations in the past. But the future is equally important. The Corps of Engineers and the Bureau of Reclamation continue to study the need for additional federal hydroelectric projects and to plan for new development in the basin. The Federal Energy Regulatory Commission has many permits and applications pending for hydroelectric development in Idaho, Oregon, Montana and Washington. Many of those applications and permits are for projects throughout the Columbia River Basin. Dozens of small or medium-sized hydroelectric projects are proposed for tributary drainage basins that contain important anadromous fish habitat. However, most new hydroelectric development will be accomplished by private or non-federal public entities licensed by the Federal Energy Regulatory Commission.

Many of the proposals are for hydroelectric projects that would produce less than 5 megawatts of electricity. Although individual small projects may have no significant adverse effects on the fish and wildlife resources of the basin, the cumulative effects of such development throughout a river basin could be quite harmful. These cumulative effects need to be taken into account fully.

The Council estimates that 4,600 stream miles of Columbia River Basin salmon and steelhead spawning and rearing habitat have been lost to development, not including losses of migration routes and of resident fish and wildlife habitat. Minimizing further habitat loss is especially important in view of the Council's goal of doubling salmon and steelhead runs in the Columbia River Basin consistent with system policies (see Sections 2 and 4). Development in critical fish and wildlife areas leads to divisive and expensive conflicts that the Council believes can be avoided through resource planning.

The Council finds that future hydroelectric developers in the basin should be required to mitigate harm to fish and wildlife and has adopted program measures calling for such mitigation. New hydroelectric development has the potential to cause further damage to the basin's fish and wildlife resources as well as to negate ongoing Council efforts to remedy damage caused by the existing hydropower system. Federal agencies also should assess and mitigate the cumulative effects on fish and wildlife of multiple hydroelectric projects.

The Council also intends to continue to review applications for Federal Energy Regulatory Commission permits and licenses and for Corps of

Engineers and Bureau of Reclamation proposals for hydroelectric development. The purpose of this review is to identify program measures related to the proposed development to ensure that any new development in the basin is consistent with this fish and wildlife program and the Council's Northwest Power Plan. The Council's reviews would complement and recognize, not supplant, the role of the fish and wildlife agencies and tribes in reviewing proposals for hydroelectric projects.

1. Conditions

Federal Energy Regulatory Commission, Corps of Engineers, Bureau of Reclamation and Bonneville

Do not license, exempt from license, relicense, propose, recommend, agree to acquire or wheel power from, grant billing credits for, or otherwise support any hydroelectric development in the Columbia River Basin without specifically providing for these development conditions:

- Consultation with the fish managers and the Council throughout study, design, construction and operation of the project;
- Specific plans for flows and fish facilities prior to construction;
- The best available means for aiding downstream and upstream passage of anadromous and resident fish;
- Flows and reservoir levels of sufficient quantity and quality to protect spawning, incubation, rearing and migration;
- Full compensation for unavoidable fish losses or fish habitat losses through habitat restoration or replacement, appropriate propagation, or similar measures consistent with the provisions of this program;
- Assurance that the project will not inundate the usual and accustomed, traditional or contemporary fishing places of any tribe without tribal approval;
- Assurance that the project will not degrade fish habitat or reduce numbers of fish in such a way that the exercise of treaty or executive order tribal rights will be diminished;
- Assurance that all fish protection measures are fully operational at the time the project begins operation;
- The collection of data needed to monitor and evaluate the results of the fish protection efforts; and
- Assurance that the project will not degrade water quality beyond the point necessary to sustain sensitive fish species (as designated in consultation with the fish managers).

Do not license, relicense, exempt from license, propose, recommend, agree to acquire or wheel power from, grant billing credits for, or otherwise support any hydroelectric development in the Columbia River Basin without specifically providing for these development conditions:

- Consultation with wildlife managers and the Council throughout study, design, construction and operation of the project;
- Avoiding inundation of wildlife habitat, insofar as practical;
- Timing construction activities, insofar as practical, to reduce adverse effects on nesting and wintering grounds;

- Locating temporary access roads in areas to be inundated;
- Constructing subimpoundments and using all suitable excavated material to create islands, if appropriate, before the reservoir is filled;
- Avoiding all unnecessary or premature clearing of land before filling the reservoir;
- Providing artificial nest structures when appropriate;
- Avoiding construction, insofar as practical, within 250 meters of active raptor nests;
- Avoiding critical riparian habitat (as designated in consultation with the wildlife managers) when clearing, riprapping, dredging, disposing of spoils and wastes, constructing diversions, and relocating structures and facilities;
- Replacing riparian vegetation if natural revegetation is inadequate;
- Creating subimpoundments by diking backwater slough areas, creating islands and nesting areas;
- Regulating water levels to reduce adverse effects on wildlife during critical wildlife periods (as defined in consultation with the fish and wildlife managers);
- Improving the wildlife capacity of undisturbed portions of new project areas (through such activities as managing vegetation, reducing disturbance, and supplying food, cover and water) as compensation for otherwise unmitigated harm to wildlife and wildlife habitat in other parts of the project area;
- Acquiring land or management rights, such as conservation easements, where necessary to compensate for lost wildlife habitat at the same time other project land is acquired and including the associated costs in project cost estimates;
- Funding operation and management of the acquired wildlife land for the life of the project;
- Granting management easement rights on the acquired wildlife lands to appropriate management entities;
- Collecting data needed to monitor and evaluate the results of the wildlife protection efforts;
- Assurance that the project will not inundate the usual and accustomed, traditional or contemporary hunting places of any tribe without tribal approval; and
- Assurance that the project will not degrade wildlife habitat or reduce numbers of wildlife in such a way that the exercise of treaty or executive order tribal rights will be diminished.

Ensure that all licenses for hydroelectric projects or documents that propose, recommend or otherwise support hydroelectric development explain in detail how the provisions of this section will be accomplished or the reasons why the provisions cannot be incorporated into the project.

2. Protected Areas

From the inception of this program, the Council has supported the concept of protecting some streams and wildlife habitats from hydroelectric development, where the Council believes such development would have major negative impacts that could not be

reversed. Beginning in 1983, the Council directed extensive studies of existing habitat and has analyzed alternative means of protection. In 1988, the Council concluded that: 1) the studies had identified fish and wildlife resources of critical importance to the region; 2) mitigation techniques cannot assure that all adverse impacts of hydroelectric development on these fish and wildlife populations will be mitigated; 3) even small hydroelectric projects may have unacceptable individual and cumulative impacts on these resources; and 4) protecting these resources and habitats from hydroelectric development is consistent with an adequate, efficient, economical, and reliable power supply. The Council, relying on these studies, designated certain river reaches in the basin as "protected areas," where the Council believes hydroelectric development would have unacceptable risks of loss to fish and wildlife species of concern, their productive capacity or their habitat.

River reaches to be protected are those reaches or portions of reaches listed on the "Protected Areas List" adopted by the Council on August 10, 1988, and subsequently. For each river reach listed on the Protected Areas List, the fish and wildlife to be protected are those on the list. The Council will supply a copy of the Protected Areas List to any party free of charge.

Protect Areas From New Hydropower Development

The following are not affected by protected areas:

- Any hydroelectric facility or its existing impoundment that as of August 10, 1988, had been licensed or exempted from licensing by the Federal Energy Regulatory Commission;
- The relicensing of such hydroelectric facility or its existing impoundment;
- Any modification of any existing hydroelectric facility or its existing impoundment; and
- Any addition of hydroelectric generation facilities to a non-hydroelectric dam or diversion structure.
- Transition projects: The Council recognizes that there exist, as of August 10, 1988, applications for hydroelectric projects that are in various stages of completion before the Federal Energy Regulatory Commission. In many cases the applicants have made substantial investments and have completed, or nearly completed, agreements with all interested parties, including state fish and wildlife agencies. The Council recognizes that the Federal Energy Regulatory Commission may be obligated to complete its processes on these applications, but expects where possible that this measure will be taken into account to the fullest extent practicable.

The Council recognizes that there may exist preliminary permits or applications for licenses or exemptions for hydroelectric projects at sites that were not previously within protected areas, but which may be included within protected areas as a result of amendments approved by the Council. An important purpose of protected areas is to encourage developers to site projects outside protected areas. The Council therefore exempts from the effect of an amendment that designates a previously unprotected area as protected any project for which

the developer had obtained a preliminary permit or filed an application for license or exemption prior to the date on which the Council entered rulemaking on the amendment. However, it is the Council's intention that the Federal Energy Regulatory Commission give full consideration to the protection of fish and wildlife resources located at these project sites and provide suitable protection and mitigation for such resources in the event that a license or exemption is approved.

- **Effect on water rights and riparian areas:** This measure should not be interpreted to authorize the appropriation of water by any entity or individual, affect water rights or jurisdiction over water, or alter or establish any water or water-related right. The Council does not intend this measure to alter or affect any state or federal water quality classification or standards, or alter any management plan developed pursuant to the national Forest Management Act, 16 U.S.C. 1601, et seq., or the Federal Land Policy Management Act, 43 U.S.C. 1701, et seq., except to the extent planning decisions are directly related to hydropower licensing and development. Nor should this measure be interpreted to alter, amend, repeal, interpret, modify, or conflict with any interstate compact made by the states. If this measure is found by a court or other competent authority to conflict with any other interstate compact, this measure will terminate with respect to the area involved, without further action of the Council.

This measure applies to river reaches, or portions of river reaches, and to river banks or surrounding areas only where such areas would be directly affected by a proposed hydroelectric project. In adopting this measure, the Council has not attempted to balance all the factors that may be relevant to land management determinations.

Bonneville Power Administration

Do not acquire power from hydroelectric projects located in protected areas. The Council believes that the Long-Term Intertie Access Policy's reliance on protected areas is consistent with the Council's power plan and fish and wildlife program as they apply to fish and wildlife in the Columbia River Basin. The Council continues to recommend that Bonneville adopt a similar policy with respect to protected areas outside the Columbia River Basin.

Federal Energy Regulatory Commission

Under the Northwest Power Act, the Federal Energy Regulatory Commission, and all other federal agencies responsible for managing, operating, or regulating federal or non-federal hydroelectric facilities located on the Columbia River or its tributaries are required to take protected area designations into account to the fullest extent practicable at all relevant stages of decision-making processes. The Council recognizes that the Federal Energy Regulatory Commission makes licensing and exemption decisions for nonfederal projects, and does not expect that the Commission will abandon its normal processes with regard to projects located in protected areas. Rather, consistent with Section 4(h)(11) of the Northwest Power Act, the Council expects that

the Federal Energy Regulatory Commission will take the Council's judgment into account, and implement that judgment in licensing and exemption decisions unless the Federal Energy Regulatory Commission's legal responsibilities require otherwise.

c:\users\weiss\documents\relicensing\good to go\he 610 roaring springs ranch 8-14.docx (El Duderino)

Applications For Minor Hydroelectric Projects

The Department seeks public comment on the following application for a new minor hydroelectric project. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application: HE 610
Applicant: Roaring Springs Ranch Inc.
Address: 31437 Highway 205, Frenchglen, OR 97736
Amount of water: 1.0 cubic feet per second
Source of water: Three Mile Creek tributary to Catlow Valley
Location of the
Point of Diversion: Tax lot 200, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Place of Use: Tax lot 200, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Purpose: Electricity production
Power developed: Up to 24 Theoretical horsepower

Application: HE 611
Applicant: Roaring Springs Ranch Inc.
Address: 31437 Highway 205, Frenchglen, OR 97736
Amount of water: 6.0 cubic feet per second
Source of water: Roaring Springs Creek tributary to Catlow Valley
Location of the
Point of Diversion: Tax lot 200, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Place of Use: Tax lot 200, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Purpose: Electricity production
Power developed: Up to 84 Theoretical horsepower

Comments are Due, September 4, 2014

**FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426**

OFFICE OF ENERGY PROJECTS

**Docket No. CD14-21-000 – Oregon
Three Mile Hydropower Project
Roaring Springs Ranch**

**Mr. Darryl Anderson
Anderson Engineering & Surveying, Inc.
17681 Highway 395
Lakeview, OR 97630**

August 26, 2014

**Subject: Determination that the Three Mile Hydropower Project Meets the Qualifying
Conduit Hydropower Facility Criteria**

Dear Mr. Anderson:

On June 23, 2014, you filed a notice of intent on behalf of the Roaring Springs Ranch, pursuant to section 30(a) of the Federal Power Act (FPA), 16 U.S.C. § 823a (2012), as amended by Section 4 of the Hydropower Regulatory Efficiency Act of 2013, Pub. L. 113-23, § 4a, 127 Stat. 493 (2013), to construct a qualifying conduit hydropower facility, the Three Mile Hydropower Project, to be located in Harney County, Oregon.

On July 7, 2014, Commission staff issued a public notice that preliminarily determined that the project met the statutory criteria for a qualifying conduit hydropower facility, and thus was not required to be licensed under Part I of the FPA. The notice established a 45-day period for entities to contest whether the project met the criteria. No comments were filed in response to the notice. Accordingly, this letter constitutes a written determination that the Three Mile Hydropower Project meets the qualifying criteria under FPA section 30(a), and is not required to be licensed under Part I of the FPA.

If you have any questions, please contact Mr. Christopher Chaney at (202) 502-6778 or christopher.chaney@ferc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Houff". The signature is written in a cursive, flowing style.

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance

HE 610

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION
NOTICE OF INTENT TO CONSTRUCT QUALIFYING CONDUIT HYDROPOWER
FACILITY

CD 14-21
3 Mi

INTRODUCTORY STATEMENT

Stacy Davies - Roaring Springs Ranch applies to the Federal Energy Regulatory Commission for a determination that the **Three Mile Spring Hydropower** is a Qualifying Conduit Hydropower Facility, meeting the requirements of section 30(a) of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA).

The location of the facility is:

State or Territory: **State of Oregon**
County: **Harney County**
Township or nearby town: **Township 35 South**
Water source: **Springs**

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: **Stacy Davies - Roaring Springs Ranch**
Address: **31434 Highway 205**
Frenchglen, Oregon 97736
Telephone Number: **541-589-1896**
Email Address: **stacyd@countrynaturalbeef.com**

The exact name and business address of each person authorized to act as agent for the applicant(s) in this notice of intent is:

Name of Agent: **Anderson Engineering & Surveying, Inc.**
Address: **17681 Highway 395**
Lakeview, Oregon 97630
Telephone Number: **541-947-4407**
Email Address: **darryla@andersonengineering.com**

NON-FEDERAL CONDUIT

The **Three Mile Spring Hydropower** will not use the hydroelectric potential of a federally owned conduit. *[According to section 30(a)(3)(C)(i) of the FPA, as amended by HREA, a qualifying conduit hydropower facility may not use the hydroelectric potential of a federally owned conduit.]*

ORIGINAL PROJECT

The Three Mile Spring Hydropower has not been licensed or exempted from the licensing requirements of Part I of the FPA, prior to the enactment of the Hydropower Regulatory Efficiency Act on August 9, 2013.

Project Information

You must provide a detailed description of the proposed hydropower project and a detailed description of the conduit it will use, including the purpose of the existing conduit. The following information must be included:

Roaring Springs Ranch is proposing to generate power from natural springs along the hill by Three Mile Creek. The water is naturally surfacing and being used as irrigation, stock, and domestic water supply. Developing the spring will not only generate power but will keep the water clean and pure for the domestic use.

(1) A detailed description of any conduits and associated consumptive water supply facilities, intake facilities, powerhouses, and any other structures associated with the facility.

[Including, but not limited to: (1) the name of the conduit(s) or consumptive water supply facilities; (2) where the conduit(s) or consumptive water supply facilities begin (including the town, river, or reservoir); (3) the length and width or diameter (if enclosed) of the conduit; (4) the dimensions of the proposed hydroelectric structure and any other facilities needed for hydropower operation (i.e. intake pipes, powerhouse, turbine generating units, discharge pipes); and (5) how, where, and into what the water will discharge from the proposed power structure. If your project discharges into a natural water body, please explain how the hydroelectric project does not alter the primary purpose of the conduit.]

- 1) Three Mile Springs is the name of the consumptive water.**
- 2) Conduits will begin at the source of the springs to eliminate water loss.**
- 3) The developing conduits are four inch perforated pipe with length up to 100 feet and the main penstock conduit is six inch PVC with length at 2000 feet.**
- 4) Spring box structure that captures water from the perforated pipe and discharges into the penstock is four feet diameter precast concrete five feet tall. The power house is 12'x12' with traditional wood framing.**
- 5) The water will discharge into a six inch pipe from the power house and will then discharge into Three Mile Creek.**

(2) The purposes for which the conduit is used:

[Section 30(a)(3)(C)(i) of the FPA, as amended by HREA, requires a qualifying conduit hydropower facility to use the hydroelectric potential of a non-federally owned conduit. Such a conduit means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and is not primarily for the generation of electricity. Specify the use of your conduit, such as irrigation, water supply, or industrial uses. The primary purpose of the conduit cannot be for power production.]

There is no existing conduit, the springs are surface runoff and discharges into a conduit that crosses Highway 205 into Three Mile Creek. The creek is discharged into Three Mile Reservoir which is used for irrigation and stock purposes. There is a domestic water line that is used for a ranch house which is installed near the spring's ground source, and will remain in use. The power house discharge is in the same creek eliminating the interruption with the original water use for the ranch irrigation, stock and domestic use.

(3) The number, type, capacity, and estimated average annual generation of the generating units you are proposing, including plans, if any, for future units:

[The installed generating capacity cannot exceed 5 MW.]

We are proposing one dual nozzle pelton turbine with 1800 rpm custom induction generator with a capability of 10.5kw of power with no plans for future units.

(4) Your project must use the hydroelectric potential conduit to generate power; however, if your project is associated with any dam or impoundment, please provide a description of the nature and extent of the dam or impoundment, including a statement of the normal maximum surface area and normal maximum surface elevation of any existing impoundment before and after the hydroelectric facilities are installed. If your project involves a dam or impoundment, you must provide a profile drawing showing the hydropower potential is created by the conduit and not the dam. You must also provide evidence that the dam or impoundment would be constructed or continue to exist for agricultural, municipal, or industrial consumptive purposes even if the hydroelectric generating facilities were not installed:

There is no dam or impoundment associated with this project.

Existing Preliminary Permit or Permit Application Pending

If you have a preliminary permit for the facility or have applied for a preliminary permit, please provide the permit number below.

P- _____

Drawings, Maps, Diagrams

Include a set of drawings/maps/diagrams clearly showing the structures and equipment of the hydroelectric facility in relation to the existing conduit. Project drawings of the project must include:

- *A Plan View (overhead view) drawing of the proposed hydropower facilities. The drawing must include the following:*
 - *The hydroelectric facilities, including all intake and discharge pipes, and how those pipes connect to the conduit*
 - *The portion of the conduit in proximity to the facilities on which the hydroelectric facilities will be located*
 - *Identification of facilities as either existing or proposed*
- *A Location Map showing the facilities and their relationship to the nearest town. The map must include the following:*
 - *The powerhouse location labeled along with its latitude and longitude*
 - *The nearest town, if possible, or other permanent monuments or objects, such as roads or other structures, that can be easily noted on the map and identified in the field*

VERIFICATION

You must provide Verification in one of the following forms:

Either a sworn, notarized statement, which states:

1. As to any facts alleged in the application or other materials filed, be subscribed and verified under oath in the form set forth below by the person filing, an officer thereof, or other person having knowledge of the matters sent forth. If the subscription and verification is by anyone other than the person filing or an officer thereof, it shall include a statement of the reasons therefor.

This (application, etc.) is executed in the:

State of: _____

County of: _____

by: (Name) _____
(Address) _____

being duly sworn, depose(s) and say(s) that the contents of this (application, etc.) are true to the best of (his or her) knowledge or belief. The undersigned applicant(s) has (have) signed the (application, etc.) this _____ day of _____, 20____.

By: _____

Subscribed and sworn to before me, a _____ [Notary Public, or title of other official authorized by the state to notarize documents, as appropriate] of the State of _____ this day of _____, 20____.

/SEAL/ [if any]

(Notary Public, or other authorized official)

Or an unsworn declaration in the following form:

2. "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on April 3, 2014 [date]."

Stacy L Davis / McKinnon
(Signature)

20140623-5033 FERC FDF 010110101/ 0/23/2014 11:55:33 AM

HE 610

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION
NOTICE OF INTENT TO CONSTRUCT QUALIFYING CONDUIT HYDROPOWER
FACILITY

0014-21

INTRODUCTORY STATEMENT

Stacy Davies - Roaring Springs Ranch applies to the Federal Energy Regulatory Commission for a determination that the **Three Mile Hydropower** is a Qualifying Conduit Hydropower Facility, meeting the requirements of section 30(a) of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA).

The location of the facility is:

State or Territory: **State of Oregon**
County: **Harney County**
Township or nearby town: **Township 35 South**
Water source: **Three Mile Springs**

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: **Stacy Davies - Roaring Springs Ranch**
Address: **31434 Highway 205**
Frenchglen, Oregon 97736
Telephone Number: **541-589-1896**
Email Address: **stacyd@countrynaturalbeef.com**

The exact name and business address of each person authorized to act as agent for the applicant(s) in this notice of intent is:

Name of Agent: **Anderson Engineering & Surveying, Inc.**
Address: **17681 Highway 395**
Lakeview, Oregon 97630
Telephone Number: **541-947-4407**
Email Address: **darryla@andersonengineering.com**

NON-FEDERAL CONDUIT

The **Three Mile Hydropower** will not use the hydroelectric potential of a federally owned conduit. *[According to section 30(a)(3)(C)(i) of the FPA, as amended by HREA, a qualifying conduit hydropower facility may not use the hydroelectric potential of a federally owned conduit.]*



ORIGINAL PROJECT

The Three Mile Hydropower has not been licensed or exempted from the licensing requirements of Part I of the FPA, prior to the enactment of the Hydropower Regulatory Efficiency Act on August 9, 2013.

Project Information

You must provide a detailed description of the proposed hydropower project and a detailed description of the conduit it will use, including the purpose of the existing conduit. The following information must be included:

(1) A detailed description of any conduits and associated consumptive water supply facilities, intake facilities, powerhouses, and any other structures associated with the facility.

[Including, but not limited to: (1) the name of the conduit(s) or consumptive water supply facilities; (2) where the conduit(s) or consumptive water supply facilities begin (including the town, river, or reservoir); (3) the length and width or diameter (if enclosed) of the conduit; (4) the dimensions of the proposed hydroelectric structure and any other facilities needed for hydropower operation (i.e. intake pipes, powerhouse, turbine generating units, discharge pipes); and (5) how, where, and into what the water will discharge from the proposed power structure. If your project discharges into a natural water body, please explain how the hydroelectric project does not alter the primary purpose of the conduit.]

Roaring Springs Ranch is proposing to improve the existing irrigation system within their private ranch by piping open ditches to enhance the conveyance of irrigation water to the ranch's irrigated fields and agricultural stock ponds. The irrigation water is naturally surfacing and runs through a series of open ditches and discharges into the irrigation system to irrigate 3,774.7 acres of land on water right Certificate Number 23501. The open irrigation ditches have significant losses from seepage and evaporation. This water right services agriculture irrigation and livestock use.

The proposed plan is to pipe the Three Mile irrigation system to reduce the evaporation, seepage, and evapotranspiration and no longer use the open ditches. A small scale hydropower turbine will be installed to reduce pressure head and generate power. The system improvements will include the installation of a 6 inch diameter PVC pipe from the point of diversion. The water will flow through the irrigation system into a 12' x 12' power house built with traditional wood framing and supply a 10.5kW power generator.

These piped systems will capture approximately 1.0 cubic feet per second (CFS) of water through a 2000' PVC pipe before reaching the power house and discharged

through 180' of PVC pipe to the irrigation system. This system is designed to maximize the water efficiency for the ranch's agricultural needs.

(2) The purposes for which the conduit is used:

[Section 30(a)(3)(C)(i) of the FPA, as amended by HREA, requires a qualifying conduit hydropower facility to use the hydroelectric potential of a non-federally owned conduit. Such a conduit means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and is not primarily for the generation of electricity. Specify the use of your conduit, such as irrigation, water supply, or industrial uses. The primary purpose of the conduit cannot be for power production.]

The existing system is a series of open ditches supplied by the discharge into a conduit that crosses Highway 205 into Three Mile Creek. The creek is discharged into Three Mile Reservoir which is used for irrigation and livestock purposes. This new proposed development plan will make the water supply for the irrigation/livestock use more efficient and have better control of the water.

(3) The number, type, capacity, and estimated average annual generation of the generating units you are proposing, including plans, if any, for future units:

[The installed generating capacity cannot exceed 5 MW.]

The proposed plan includes one dual nozzle Pelton turbine with 1800 rpm custom induction generator with a capability of 10.5kw of power with no plans for future units.

(4) Your project must use the hydroelectric potential conduit to generate power; however, if your project is associated with any dam or impoundment, please provide a description of the nature and extent of the dam or impoundment, including a statement of the normal maximum surface area and normal maximum surface elevation of any existing impoundment before and after the hydroelectric facilities are installed. If your project involves a dam or impoundment, you must provide a profile drawing showing the hydropower potential is created by the conduit and not the dam. You must also provide evidence that the dam or impoundment would be constructed or continue to exist for agricultural, municipal, or industrial consumptive purposes even if the hydroelectric generating facilities were not installed:

There is no dam or impoundment associated with this project.

Reservoir
Permit
R 838
33512
1600 AF
3 Mi
Reservoir

Existing Preliminary Permit or Permit Application Pending

If you have a preliminary permit for the facility or have applied for a preliminary permit, please provide the permit number below.

P- _____

Drawings, Maps, Diagrams

Include a set of drawings/maps/diagrams clearly showing the structures and equipment of the hydroelectric facility in relation to the existing conduit. Project drawings of the project must include:

- *A Plan View (overhead view) drawing of the proposed hydropower facilities. The drawing must include the following:*
 - *The hydroelectric facilities, including all intake and discharge pipes, and how those pipes connect to the conduit*
 - *The portion of the conduit in proximity to the facilities on which the hydroelectric facilities will be located*
 - *Identification of facilities as either existing or proposed*
- *A Location Map showing the facilities and their relationship to the nearest town. The map must include the following:*
 - *The powerhouse location labeled along with its latitude and longitude*
 - *The nearest town, if possible, or other permanent monuments or objects, such as roads or other structures, that can be easily noted on the map and identified in the field*

HE 610



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application to Develop a Minor Hydroelectric Project (Less than 100 theoretical horsepower)

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, please insert "n/a". Please read and refer to the instructions guide when completing your application. A summary of review criteria and procedures that are applicable to minor hydroelectric projects is available at www.wrd.state.or.us Thank you.

RECEIVED BY OWRD

1. APPLICANT INFORMATION

JUL 22 2014

Applicants: Stacy Davies
First Last SALEM, OR

Organization: Roaring Springs Ranch Inc.
First Last

Mailing Address: 31437 31434 Highway 205, Frenchglen, OR 97736
City State Zip

Phone: 541-589-1896 cell 495-2263 office
Home Work Other

*Fax: 541-495-2266 E-mail address: stacyd@countrynaturalbeef.com

roaringspringsranch@gmail.com

*Optional Information

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water? This includes diversion location and place of use; roads; rights-of-way; and canals or ditches.

☒ Yes (Skip to section 3 "Water Use")

☐ No Please check the appropriate box below.

- ☐ I have a recorded easement or written authorization permitting access.
- ☐ I do not currently have written authorization or easement permitting access. **Note: A water right cannot be issued without written authorization or easement provided to the Department.**

List the names and mailing addresses of all affected landowners.

N/A

Attach a separate sheet if needed.

3. WATER USE

A. Proposed Source and Amount of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so. If the source will be a reservoir, list reservoir name and/or permit number:

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (CFS) or gallons per minute (GPM). If the proposed use is from storage, provide the amount in acre-feet (AF):

(1 cubic foot per second = 448.8 gallons per minute 1 acre-foot = 43,560 cubic feet)

Source	Tributary to	Amount (AF, CFS, GPM)
Three Mile Springs	Three mile Reservoir	1 CFS

B. Period of Use

Indicate the time of year when you propose to use water:

All year

C. Power Development

The project will utilize 210 (number of feet) of gross head to develop 24 (number) theoretical horsepower (THP).

THP is calculated by multiplying the quantity of water to be diverted in cubic feet per second by the vertical head in feet and dividing the product by 8.8). The head is the difference in elevation between the intake of the pipeline and the return discharge to the stream.

D. Location

The point of diversion is located within the SE 1/4 of the NW 1/4 of Section 25, Township 35S, Range 32E, W.M.,

The power plant is located within the NE 1/4 of the SW 1/4 of Section 25, Township 35S, Range 32E, W.M., in Harney County.

After passing through the power plant, the water utilized will be returned to

Three Mile (stream) in the NW 1/4 of the SW 1/4 of Section 25, Township 35S, Range 32E, W.M.

E. Project Facilities

(IF APPLICABLE) The diversion dam will have a height of N/A feet, a crest width of N/A feet, an upstream slope of N/A feet horizontal to one foot vertical, and a downstream slope of N/A feet horizontal to one foot vertical.

Describe the type of dam and the material with which it will be constructed:

N/A

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

(IF APPLICABLE) The storage reservoir will be located on N/A (body of water), tributary to N/A (body of water) in Section N/A, Township N/A, Range N/A, W.M. When full the reservoir will have a surface area of N/A acres and a total storage volume of N/A acre-feet.

(IF APPLICABLE) The canal will have a length of N/A feet, a slope of N/A feet horizontal /feet vertical, a base width of N/A feet, and a top width of N/A feet.

(IF APPLICABLE) The pipeline will have a length of 1800 feet, a diameter of 6 inches, and the difference in elevation between the intake and discharge will be 210 feet. The type of pipe used is Schedule 40 PVC

Describe the type of water wheel and generator that will be used: The power plant will consist of a Pelton type turbine with double nozzle and a custom induction generator provided by Canyon Hydro.

4. WATER MANAGEMENT

A. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water?

☐ Weir ☒ Meter ☐ Periodic Sampling

Have you planned for a minimum bypass flow?

☒ Describe

Yes, the by pass valve will be capable of 100% of the flow.

5. RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state requires, careful control of activities that may affect the waterway or streamside area. Please indicate any of the practices you plan to undertake to protect water resources.

☐ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions:

No, fish screening is not required as there are no fish present in the springs.

RECEIVED BY OWRD

JUL 22 2014

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: Perforated pipe and drain rocked trenches will absorb the springs allowing minimal ground disturbance on the small area at which the springs are surfacing.

☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe: _____

There is no aquatic life at the springs location.

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: The site will contain erosion control structures to keep soil and ground conditions stable during construction. These erosion structures will consist of straw waddles and silt fences below the construction area.

6. FINANCES AND SCHEDULE

The estimated cost of the project is \$ 120,000.

The proposed use or market for the power to be developed is: The ranch will sell the power to Harney County Electric.

The time schedule for completing the project after a water right is issued is one year.

The estimated life of this project is 50 years. Upon a decision to terminate project operations, the project must be decommissioned under applicable Oregon laws. Upon project termination, the proposed method of removal is to eliminate any environmental or health and safety concerns. The penstock will be capped and abandoned to eliminate ground disturbance while the mechanical and electrical equipment will be recycled and/or be disposed of properly.

RECEIVED BY OWRD

JUL 22 2014

7. NEIGHBORS

The following individuals own property within 300 feet of the proposed powerhouse:
(include names, physical addresses, and mailing addresses)

There are no properties with in 300 feet of the proposed powerhouse not owned by
Roaring Springs Ranch Inc.

8. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Referencing the water use question, this water is already used under certificate
number 23501 for irrigation, domestic, and stock use. The amount of water used
year round is significantly lower in the winter months for these existing uses.

This water right will grant the ranch to produce hydro power year round as the
springs continue to flow year round.

9. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter-quarter section of the proposed diversion location and powerhouse. See the map guidelines sheet for detailed map specifications.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

10. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided.
- I cannot legally use water until the Water Resources Department issues a water right to me.
- If I get a water right, I must not waste water.
- If development of the water use is not according to the terms of the water right, the water right can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a water right to me, I may have to stop using water to allow senior water right holders, instream water rights or minimum bypass flows to get water they are entitled to, and

I affirm that all information provided in this application is true and correct to the best of my knowledge.

Steve L. Davis, manager, R.S.R. Inc. 7/7/14
Signature of applicant Date

Signature of applicant Date

11. EXHIBITS

The following Exhibits must be included as a part of this application:

- Exhibit A** Narrative Statement describing the proposed project from the point(s) of diversion to the water return area.
- Exhibit B** Project Map (See Guide for Minor Hydroelectric Applications)
- Exhibit C** Tax Assessors map showing all property lines within 300 feet of the proposed powerhouse.
- Exhibit D** Attach land use form. Land use form must be signed by the local planning official, certifying that the use and structures associated with this project are allowed. The land use form is available from the OWRD Salem office or OWRD web site, <http://www1.wrd.state.or.us/pdfs/landuseform.pdf>

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Exhibit A

The following proposed hydropower project will begin at Three Mile Spring where perforated pipe and 3" drain rock trenches develop a pipe network that flow into a spring box. The spring box will be constructed of a precast 48" by 60" concrete structure that will act as the spring water manifold and capture the spring water as it surfaces. The pipe network will consist of four inch perforated pipe laid within a four foot deep, three foot wide trench of 3" drain rock.

This spring box will sit at an approximate ground elevation of 4,867 feet, giving the pipe an invert elevation (IE) of approximately 4,863 feet. The four inch perforated pipe will drain into the spring box while the outlet will be a six inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,800 feet in length and dropping 210 feet in elevation to the hydropower plant at approximately 4,653 feet in elevation.

At the power plant, the spring water will go through the power generation system to create electric power and then discharge in to Three Mile Creek that runs into Three Mile Reservoir. This reservoir is used for storage on the Roaring Springs Ranch for irrigation and stock uses. The water right certificate for these existing uses is under water right certificate number 23501.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

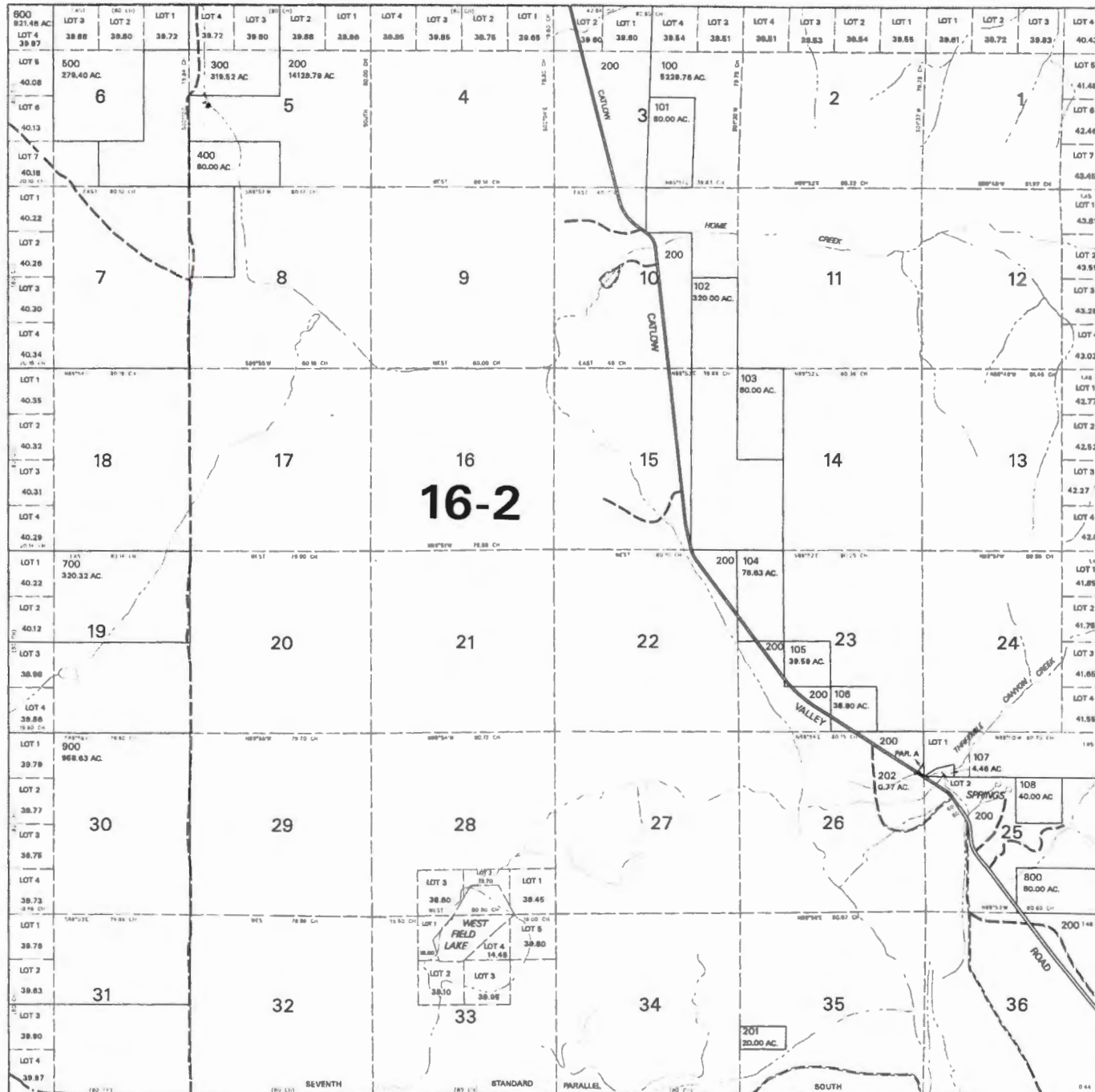
T.35S. R.32E. W.M.
HARNEY COUNTY

1"=2000'
SEE MAP 34S 32E

35S 32E

0 2000 4000
SCALE IN FEET

SEE MAP 35S 31E



SEE MAP 36S 32E

REVISED: RT
02/18/03

35S 32E

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Roaring Springs Ranch Inc.

First

Last

Mailing Address: 31434 Highway 205, Frenchglen, OR 97736

Frenchglen

City

OR

State

97736

Zip

Daytime Phone: 541-589-1896

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35S	32E	25	SE NW	200	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Three Mile Springs

Estimated quantity of water needed: 1 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Hydro Power Production

Briefly describe:

The proposed plan is to capture the springs water for year round hydro power production before the water is used for the ranch's irrigation, domestic, and stock use on water right certificate number 23501.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Brandon McMullen Title: Planning Director
 Signature: [Signature] Phone: (541) 573-1655 Date: 7/28/2014
 Government Entity: Harney County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED BY OWRD

Applicant: Roaring Springs Ranch Inc.

Mailing Address: 31437 ^{First} 31434 Highway 205, Frenchglen, OR 97736

JUL 22 2014

Frenchglen
City

OR
State

97736
Zip

Daytime Phone: 541-589-1896

SALEM, OR

541-495-2263

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35S	32E	25	SE NW	200	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Three Mile Springs

Estimated quantity of water needed: 1 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Hydro Power Production

Briefly describe:

The proposed plan is to capture the springs water for year round hydro power production before the water is used for the ranch's irrigation, domestic, and stock use on water right certificate number 23501.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

JUL 22 2014

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That EASTERN OREGON LIVE STOCK CO.

of Crane, State of Oregon, has a right to the use of
the waters of Three Mile Creek

for the purpose of irrigation, domestic and stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Harney County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 450, that the priority of the right thereby confirmed dates from 1887 for Tract 1; 1888 for Tract 2; 1889 for Tract 3; 1890 for Tract 4; 1891 for Tract 5; 1893 for Tract 6; 1902 for Tract 7;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one-eightieth of one cubic foot per second for each acre irrigated, with a total diversion of not to exceed three acre-feet per acre for each acre irrigated during any irrigation season, from April 1, to October 1, of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract 1

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
13.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
16.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
17.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 29

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
1.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
29.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
4.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
13.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
25.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32

40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
30.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 33

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
30.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
39.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Tract 1 (Con't)

13.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
38.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
37.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
12.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
5.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 34

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
32.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 35

T. 35 S., R. 32 E. W.M.

Tract 2

12.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 33

T. 35 S., R. 32 E. W.M.

Tract 3

20.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26

T. 35 S., R. 32 E. W.M.

Tract 4

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 28

T. 35 S., R. 32 E. W.M.

Tract 5

9.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
35.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
36.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
27.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 28

17.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
15.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
32.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
8.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
28.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
6.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 35

T. 35 S., R. 32 E. W.M.

Tract 6

40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 27

T. 35 S., R. 32 E. W.M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 20th day of November, 19 57

LEWIS A. STANLEY
State Engineer

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ALLIED LAND & LIVESTOCK CO.

of 120 Taylor Street, San Francisco, State of California, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of Three Mile Creek, tributary of Catlow Valley, appropriated under Application No. 21002, Permit No. 16911

for the purposes of irrigation under Reservoir Permit No. R-838 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 23, 1915

that the amount of water entitled to be stored each year under such right, for the purposes aforesaid, shall not exceed 1600 acre feet

The reservoir is located in

Three mile Reservoir

NW $\frac{1}{4}$ NW $\frac{1}{4}$
S $\frac{1}{2}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36
T. 35 S., R. 32 E., W. M.

Diversion from Creek - SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 35 S., R. 32 E., W. M.

WITNESS the signature of the State Engineer, affixed
this date. December 30, 1966

CHRIS L. WHEELER

State Engineer

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ALLIED LAND & LIVESTOCK CO.**

of 420 Taylor Street, San Francisco, State of California, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Three Mile Creek and reservoir constructed under Application No. R-21001, Permit No. R-838 a tributary of Catlow Valley for the purpose of supplemental irrigation of 509.6 acres

under Permit No. 16911 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 23, 1945.

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 12.74 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, T. 35 S., R. 32 E., W. M. Diversion points located: Stream - 1290 feet South and 5950 feet East; Reservoir outlet - 8980 feet South and 5460 feet East.* The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated throughout the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-838

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

10.2 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
29.4 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
16.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
25.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
39.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
9.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26

4.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
35.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
26.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
33.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 35
T. 35 S., R. 32 E., W. M.

* both from the NW Corner, Section 26.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. December 30, 1966

CHRIS L. WHEATLER

State Engineer

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That EASTERN OREGON LIVE STOCK CO.

of Crane, State of Oregon, has a right to the use of
the waters of Three Mile Creek

for the purpose of Irrigation, domestic and stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Harney County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 450, that the priority of the right thereby confirmed dates from 1887 for Tract 1; 1888 for Tract 2; 1889 for Tract 3; 1890 for Tract 4; 1891 for Tract 5; 1893 for Tract 6; 1902 for Tract 7;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one-eightieth of one cubic foot per second for each acre irrigated, with a total diversion of not to exceed three acre-feet per acre for each acre irrigated during any irrigation season, from April 1, to October 1, of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract 1

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
13.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
16.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
17.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 29

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
1.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
29.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
4.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
13.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
25.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32

40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
30.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 33

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
30.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
39.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Tract 1 (Con't)

13.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
38.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
37.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
12.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
5.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 34

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
32.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 35

T. 35 S., R. 32 E. W.M.

Tract 2

12.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 33

T. 35 S., R. 32 E. W.M.

Tract 3

20.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26

T. 35 S., R. 32 E. W.M.

Tract 4

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 28

T. 35 S., R. 32 E. W.M.

3798.2

47.47
45

Tract 5

9.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
35.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
36.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
27.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 28

17.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
15.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
32.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
8.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
28.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
6.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 35

T. 35 S., R. 32 E. W.M.

Tract 6

40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 27

T. 35 S., R. 32 E. W.M.

Tract 7

2.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
13.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
25.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
0.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 36

T. 35 S., R. 32 E. W.M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 20th day of November, 19 57.

LEWIS A. STANLEY

State Engineer

HE 610

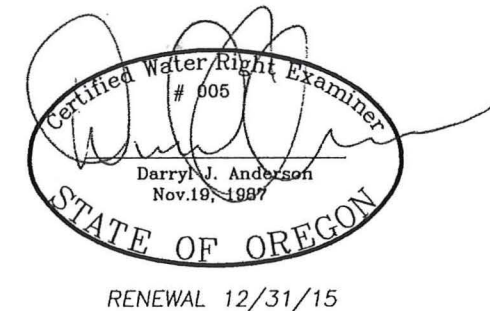
MAP TO ACCOMPANY
WATER RIGHT APPLICATION
FOR
ROARING SPRINGS RANCH, INC.

SECTIONS 25
TOWNSHIP 35 SOUTH RANGE 32 EAST
HARNEY COUNTY, OREGON

LEGEND

----- SECTION LINE
----- 1/4 SECTION LINE

SCALE: 1"=800'

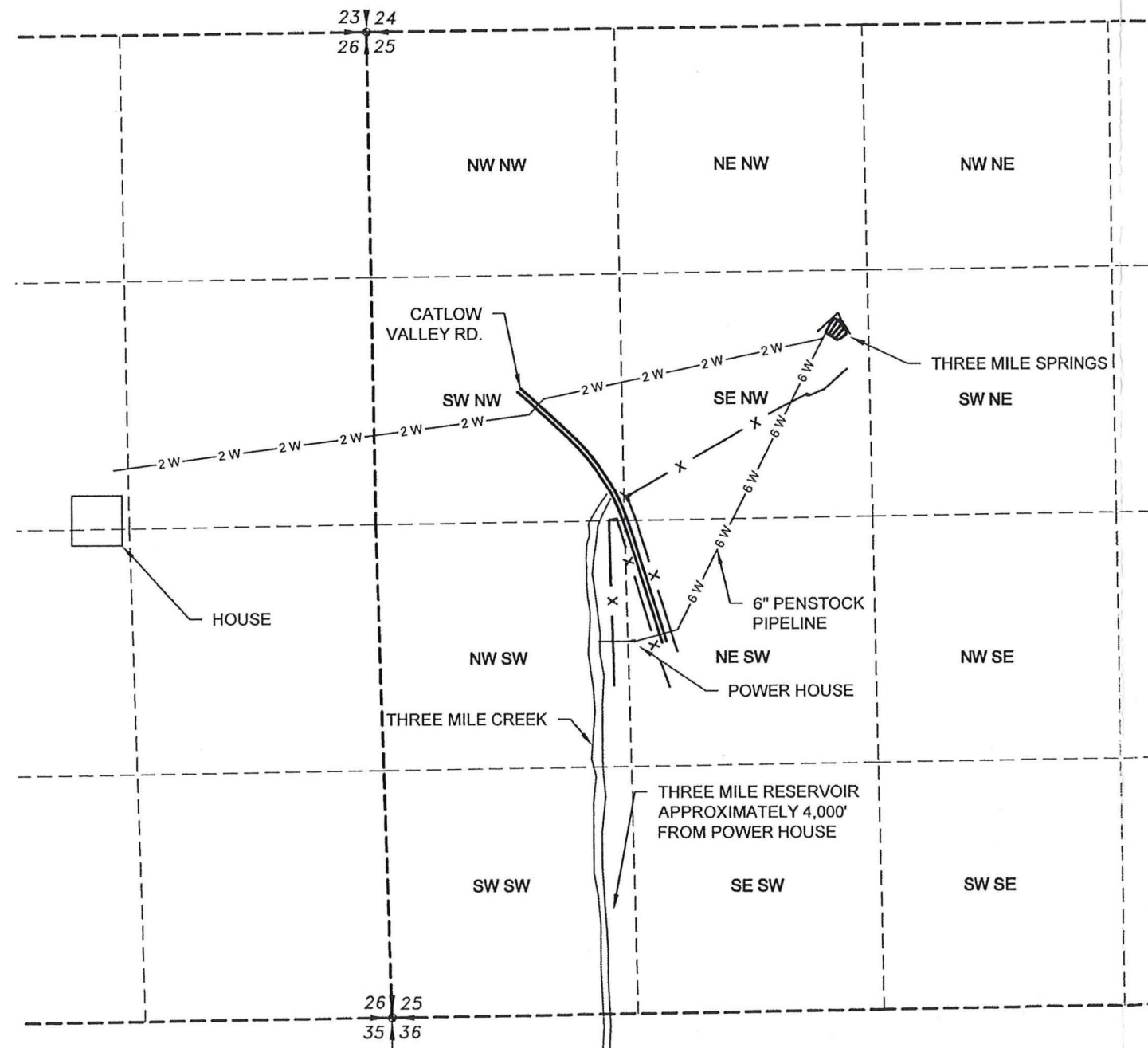


RECEIVED BY OWRD
JUL 22 2014
SALEM, OR

APPLICATION NO. _____

PERMIT NO. _____

NOTE:
PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED
WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE
LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.



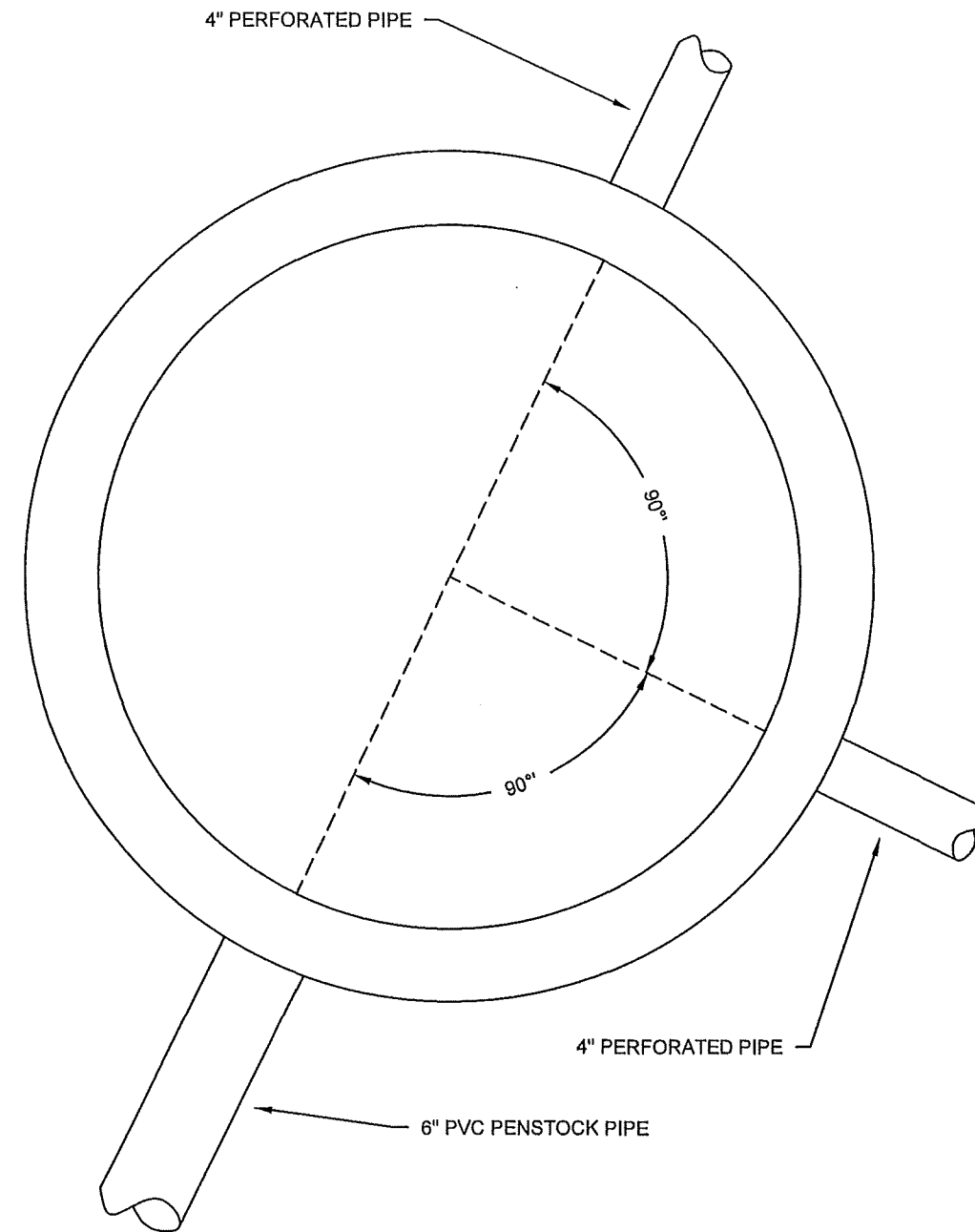
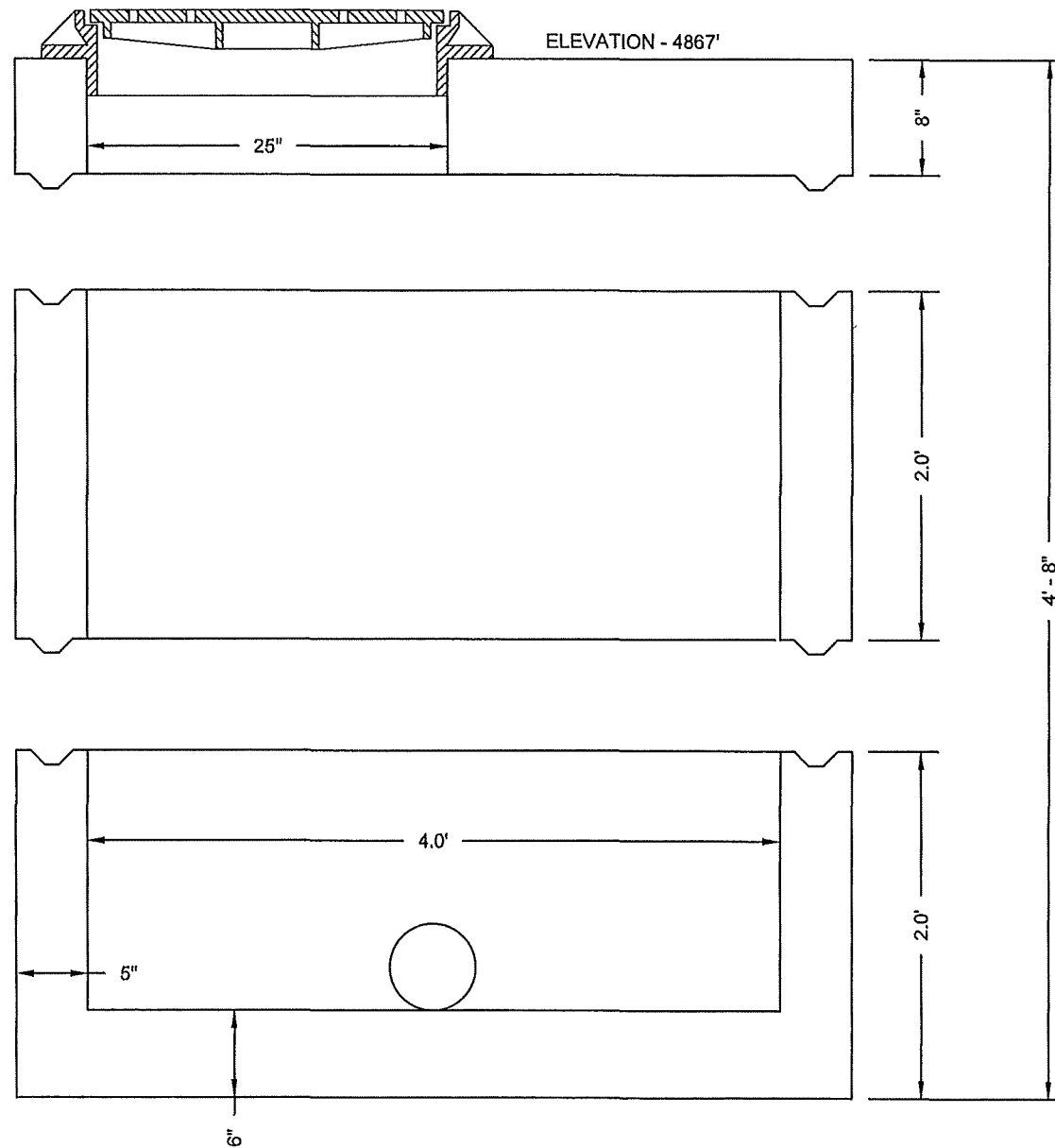
REVISION	BY

ANDERSON ENGINEERING
AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON
97630
(541) 947-4407
FAX: 947-2321

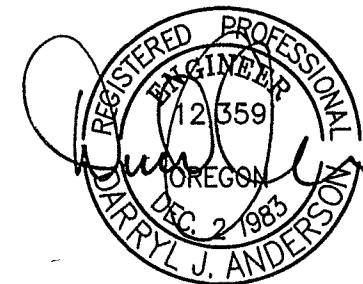
FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1896

PROJECT MAP
THREE MILE HYDRO POWER
FRENCHGLEN, OREGON

DATE: 06/19/2014
SCALE: 1" = 800'
DWG. BY: A.C.K.
JOB: 2013-111
FILE: 2013-111
SHEET: 1



TO POWER HOUSE



EXPIRES DEC. 31, 2015

REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**

P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

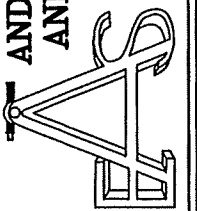
FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1896

SPRING BOX DETAIL
THREE MILE HYDRO POWER
FRENCHGLEN, OREGON

DATE:	03/13/2014
SCALE:	1" = 1'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-6

REVISION	BY

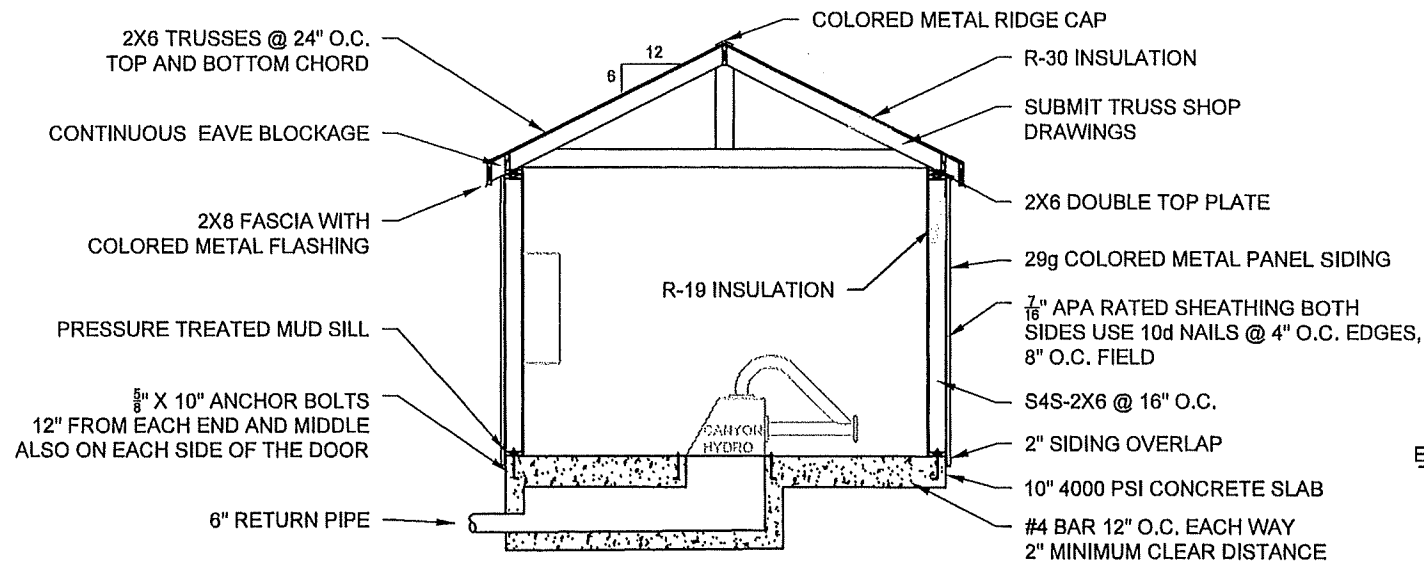
**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321



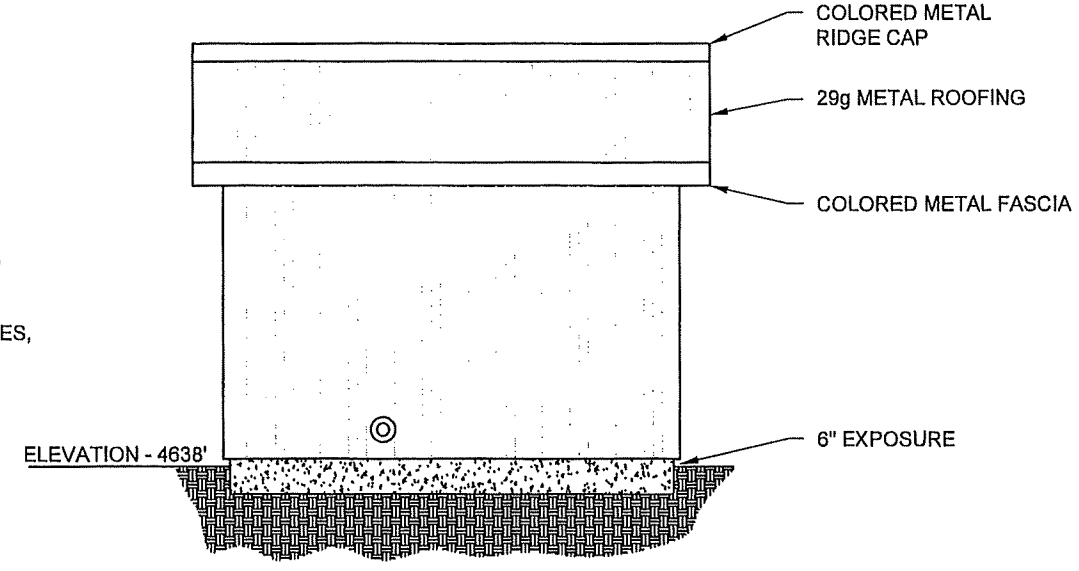
FOR: **ROARING SPRINGS RANCH**
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1896

**POWER HOUSE
THREE MILE HYDRO POWER
FRENCHGLEN, OREGON**

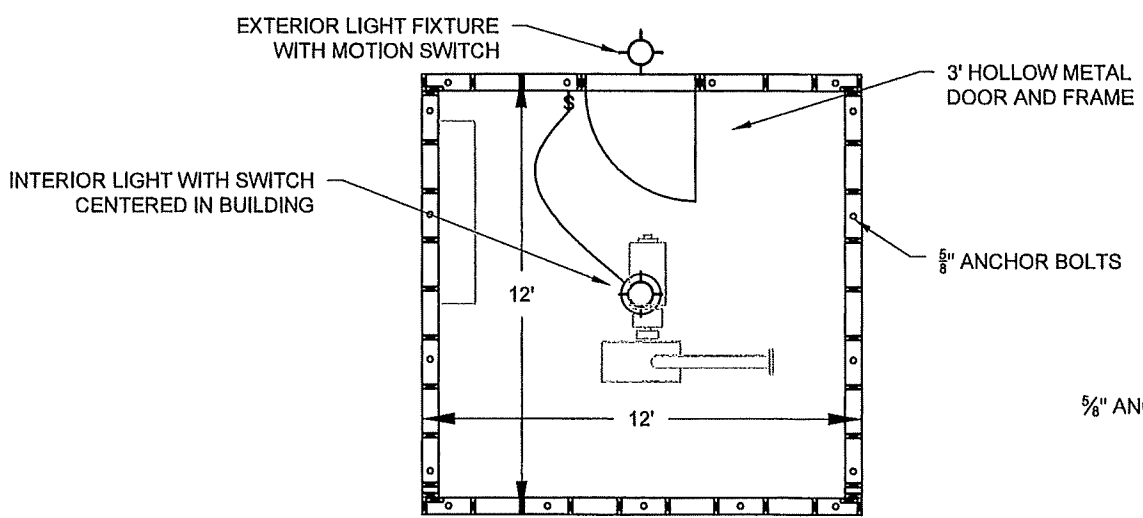
DATE:	03/13/2014
SCALE:	1" = 5'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-4



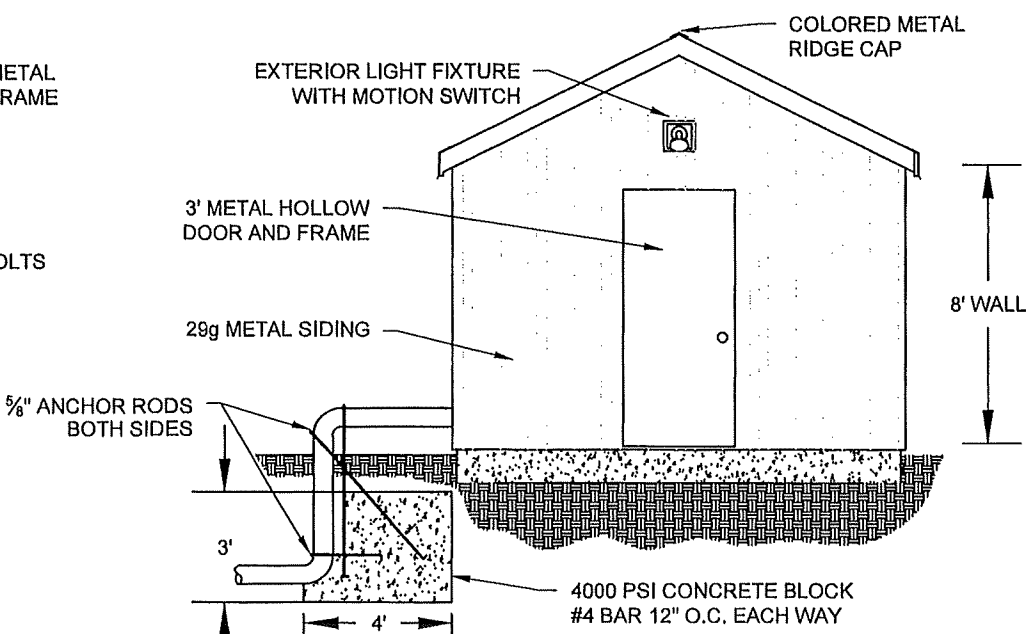
3-MILE POWER HOUSE SECTION
SCALE: 1" = 5'



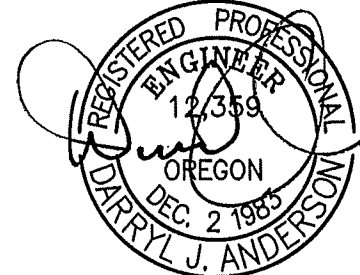
3-MILE POWER HOUSE SIDE VIEW
SCALE: 1" = 5'



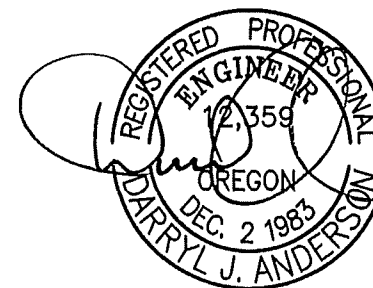
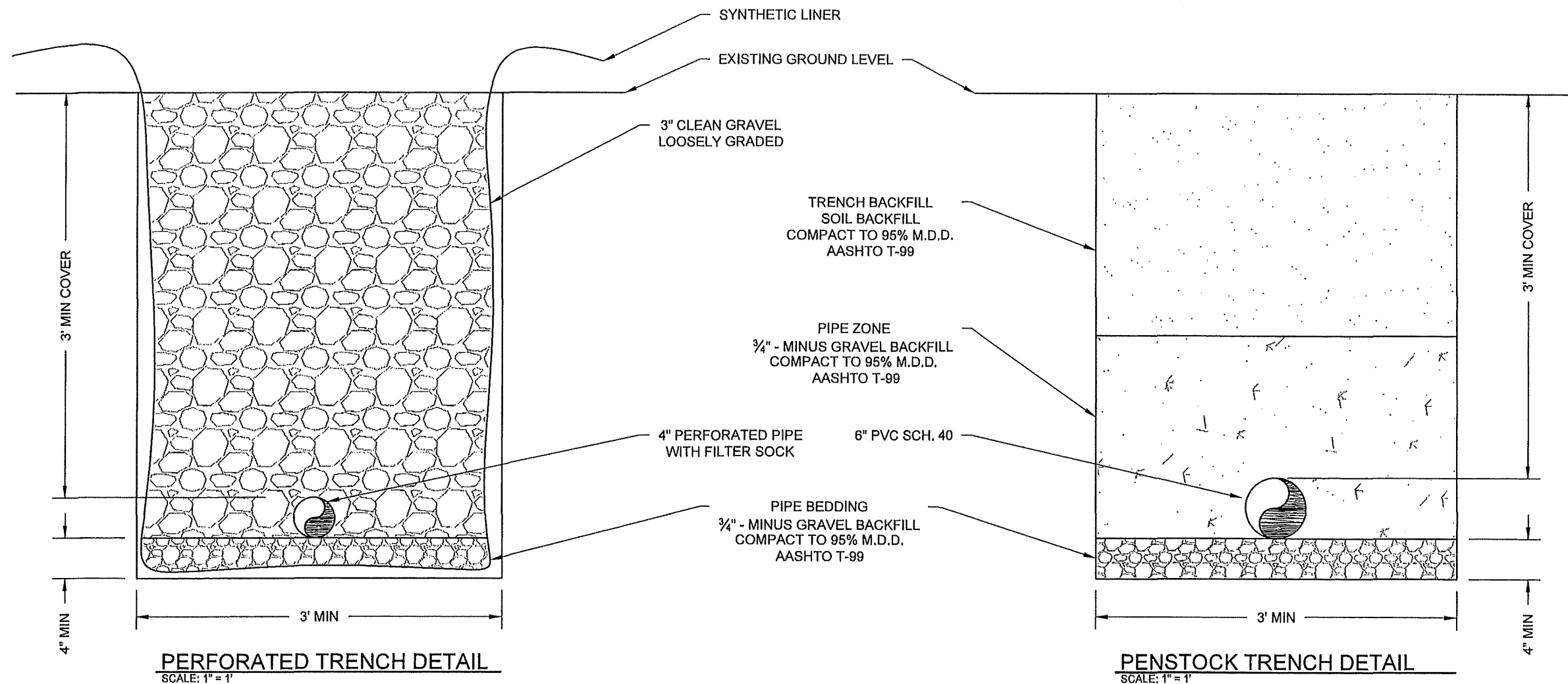
3-MILE POWER HOUSE FLOOR
SCALE: 1" = 5'



3-MILE POWER HOUSE NORTH SIDE
SCALE: 1" = 5'



EXPIRES DEC. 31, 2015



EXPIRES DEC. 31, 2015

REVISION	BY

ANDERSON ENGINEERING AND SURVEYING, INC.
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736
541-589-1896

TRENCH DETAIL
THREE MILE HYDRO POWER
FRENCHGLEN, OREGON

DATE:	03/13/2014
SCALE:	1" = 1'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-5

REARING SPRINGS RANCH

Application recorded ROARING SPRINGS thp 6 c/s x 123' ⇒ 84 THP
 Receipt 112820 \$ 500

Entered: Basin *HARNEY*

Entered Stream Index file

Entered Plat Card file 345 328 Sec 5 NE NW

Published Press Release

Preliminary Permit signed by Director

License signed by Director

Watermaster notified

Completion inspection

[illegible]

KOHANEK Craig

From: Ted Wise <ted.g.wise@state.or.us>
Sent: Thursday, September 04, 2014 4:42 PM
To: KOHANEK Ron C
Cc: GRAINEY Mary S
Subject: ODFW Comments on Minor Hydroelectric Applications HE 611 and HE 610 for Roaring Springs Ranch
Attachments: ODFW Comments _ HE 611 Application for minor hydroelectric water right- OWRD 9 - 4 - 14.pdf; ODFW Comments _ HE 610 Application for minor hydroelectric water right- OWRD 9 - 4 - 14 - Copy.pdf

Craig,

Attached are the Oregon Department of Fish and Wildlife comment letters for Minor Hydroelectric Applications HE 611 and HE 610 (Roaring Springs Ranch). We appreciate the opportunity to provide comments. Should you have any questions please don't hesitate to contact me.

Ted W.

Ted Wise
High Desert Hydropower Program Leader
Oregon Department of Fish and Wildlife
61374 Parrell Road
Bend, Oregon 97702
541-633-1115



Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

High Desert Region

61374 Parrell Road

Bend, OR 97702

(541) 388-6363

FAX (541) 388-6281

September 4, 2014

Craig Kohanek
Hydroelectric Project Analyst
Oregon Water Resources Department
Commerce Building
158 12th Street, NE
Salem, OR 97310-0210
ron.c.kohanek@state.or.us

BY ELECTRONIC FILING

Subject: ODFW Comments on Roaring Springs Ranch Inc., Application for a New Minor Hydroelectric Water Right. (HE 611)

Dear Mr. Kohanek:

Thank you for the opportunity to comment on the Roaring Springs Ranch Inc. (RSR), Application for a new minor hydroelectric water right (HE 611). Oregon Department of Fish and Wildlife (ODFW), has the following comments:

Upon review, including a field visit to the proposed project site ODFW is not aware of any significant impacts resulting from permitting of the proposed hydroelectric project.

ODFW recommends the proposed hydroelectric water right permit be quite clear as to the specifics of timing of its use and the fact that is directly tied to existing seasonable irrigation water right and operations associated with agricultural needs.

ODFW further recommends that the permitting of the Hydroelectric Water right/permit include the provision that if at any time, unanticipated circumstances or emergency situations arise in which fish or wildlife are being killed, harmed or endangered by any of the project facilities RSR shall immediately take appropriate action to prevent further loss. RSR shall within 24 hours, shall notify the nearest ODFW office and comply with measures required by ODFW to prevent additional injury or mortality.

Please note the accompanying (Appendix A), containing responses to Oregon Water Resource Department's questionnaire pertaining to this application.

In closing ODFW appreciates the opportunity to provide input on the proposed project. Should you have any questions pertaining to these comments please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Wise', with a stylized, cursive script.

Ted Wise
High Desert Hydropower Coordinator
61374 Parrell Road
Bend, Oregon 97701
541-633-1115
Ted.g.wise@state.or.us

Appendix A.

OWRD Questionnaire

RE: HE 611

1. Is the project located in any of the following areas?

...

J. State wildlife refuges

YES or NO If YES, please specify:

11. Will project facilities and operations have significant adverse impacts on fish populations?

YES or NO Explain:

12. Will project facilities and operations unreasonably interfere with upstream and downstream passage of fish through the project vicinity? (If the answer is yes, the OWRD Director, or in cases where the final order is approved by the Commission, the Commission may make exceptions in special cases where fish populations have been significantly damaged by past activities and the proposed single- or multiple-purpose project development will improve existing fish populations).

YES or NO Explain:

13. Have project facilities and operation been designed to mitigate, to the greatest extent practicable, adverse impacts upon spawning, rearing or other habitat areas necessary to maintain the levels and existing diversity of fish species?

YES or NO Explain:

14. Will unavoidable adverse impacts on fish or to fish management programs be mitigated?

YES or NO Explain: None Expected

15. Are project construction, timing and procedures designed to minimize fishery impacts from instream construction work and premature or unnecessary land clearing and disturbances?

YES or NO Explain:

16. Are all fishery protective measures scheduled to be fully functional when the project commences operations?

YES or NO Explain:

17. Is the proposed project consistent with ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

18. Is any part of the project located on a river or stream reach used by wild game fish, or that would adversely affect wild game fish?

YES or NO Explain:

19. If the answer to question 18 is YES, the project shall include mitigation measures which:

A. Are located in the project vicinity.

Explain:

B. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

C. Will prevent a net loss to individual species of wild game fish.

Explain:

D. Will prevent conversion of a wild game fish population and fishery to a hatchery dependent resource.

Explain:

E. Are consistent with ODFW management plans and programs in force on the effective date of these rules.

Explain:

F. Employ workable and generally accepted methods and techniques of mitigation best suited to the affected fish resource(s).

Explain:

20. If proposed at an undeveloped site, is it reasonably foreseeable that the location, design, construction or operation of the project may result in mortality or injury to an individual anadromous salmon or steelhead or loss of any salmon or steelhead habitat?

Explain: No, Non- anadromous basin

21. Modification of an existing facility or project on a stream reach used by anadromous salmon or steelhead or providing anadromous salmon or steelhead habitat shall include measures that:

A. Are reasonably certain to restore, enhance or improve existing salmon and steelhead populations in the affected river.

Explain:

B. Comply with wild game fish standards in paragraphs (2)(a)(C) and (D) of OAR 690-051-0200 if the affected salmon or steelhead populations contain wild fish.

Explain:

C. Are consistent with ODFW Fishery management plans and programs in force on the effective date of these rules.

Explain:

D. Employ workable and generally accepted methods and techniques best suited to the fish resources affected by the proposed project.

Explain:

E. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

23. Will the location, design, construction or operation of the proposed project jeopardize the continued existence of animal species that have been:

A. Designated, or officially proposed by the USFWS, or the NMFS (NOAA-FISHERIES-Fisheries) as threatened or endangered pursuant to the Endangered Species Act of 1973;

YES or **NO** Explain:

B. Identified by the Oregon Natural Heritage Data Base as endangered, threatened or limited in Oregon; or

YES or **NO** Explain:

C. Identified by the Oregon Fish and Wildlife Commission as threatened or endangered in Oregon.

YES or **NO** Explain:

24. Will the location, design, construction and operation of project facilities minimize adverse impacts on wildlife habitat, nesting and wintering grounds, and wildlife migratory routes?

YES or NO Explain:

25. Will project construction methods and scheduling minimize disruption of wildlife and avoid premature or unnecessary land clearing in the project vicinity?

YES or NO Explain

26. Will unavoidable adverse impacts on wildlife or wildlife habitat be mitigated in the project vicinity by methods such as replacement of vegetation, regulation of reservoir levels, creation of aquatic habitat, improvements in wildlife carrying capacity in the project vicinity or acquisition of land or management rights?

YES or **NO** Explain:

27. Will the project be consistent with applicable ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

44. Will adverse impacts on wetlands as defined by OAR 141-085-0010(20) or identified by the Oregon Natural Heritage Database be avoided, minimized, or offset by acceptable mitigation?

YES or NO Explain:



Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

High Desert Region

61374 Parrell Road

Bend, OR 97702

(541) 388-6363

FAX (541) 388-6281

September 4, 2014

Craig Kohanek
Hydroelectric Project Analyst
Oregon Water Resources Department
Commerce Building
158 12th Street, NE
Salem, OR 97310-0210
ron.c.kohanek@state.or.us

BY ELECTRONIC FILING

Subject: ODFW Comments on Roaring Springs Ranch Inc., Application for a New Minor Hydroelectric Water Right. (HE 611)

Dear Mr. Kohanek:

Thank you for the opportunity to comment on the Roaring Springs Ranch Inc. (RSR), Application for a new minor hydroelectric water right (HE 611). Oregon Department of Fish and Wildlife (ODFW), has the following comments:

Upon review, including a field visit to the proposed project site ODFW is not aware of any significant impacts resulting from permitting of the proposed hydroelectric project.

ODFW recommends the proposed hydroelectric water right permit be quite clear as to the specifics of timing of its use and the fact that is directly tied to existing seasonable irrigation water right and operations associated with agricultural needs.

ODFW further recommends that the permitting of the Hydroelectric Water right/permit include the provision that if at any time, unanticipated circumstances or emergency situations arise in which fish or wildlife are being killed, harmed or endangered by any of the project facilities RSR shall immediately take appropriate action to prevent further loss. RSR shall within 24 hours, shall notify the nearest ODFW office and comply with measures required by ODFW to prevent additional injury or mortality.

Please note the accompanying (Appendix A), containing responses to Oregon Water Resource Department's questionnaire pertaining to this application.

In closing ODFW appreciates the opportunity to provide input on the proposed project. Should you have any questions pertaining to these comments please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ted Wise', with a stylized, cursive script.

Ted Wise
High Desert Hydropower Coordinator
61374 Parrell Road
Bend, Oregon 97701
541-633-1115
Ted.g.wise@state.or.us

Appendix A.

OWRD Questionnaire

RE: HE 611

1. Is the project located in any of the following areas?

...

J. State wildlife refuges

YES or NO If YES, please specify:

11. Will project facilities and operations have significant adverse impacts on fish populations?

YES or NO Explain:

12. Will project facilities and operations unreasonably interfere with upstream and downstream passage of fish through the project vicinity? (If the answer is yes, the OWRD Director, or in cases where the final order is approved by the Commission, the Commission may make exceptions in special cases where fish populations have been significantly damaged by past activities and the proposed single- or multiple-purpose project development will improve existing fish populations).

YES or NO Explain:

13. Have project facilities and operation been designed to mitigate, to the greatest extent practicable, adverse impacts upon spawning, rearing or other habitat areas necessary to maintain the levels and existing diversity of fish species?

YES or NO Explain:

14. Will unavoidable adverse impacts on fish or to fish management programs be mitigated?

YES or NO Explain: None Expected

15. Are project construction, timing and procedures designed to minimize fishery impacts from instream construction work and premature or unnecessary land clearing and disturbances?

YES or NO Explain:

16. Are all fishery protective measures scheduled to be fully functional when the project commences operations?

YES or NO Explain:

17. Is the proposed project consistent with ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

18. Is any part of the project located on a river or stream reach used by wild game fish, or that would adversely affect wild game fish?

YES or NO Explain:

19. If the answer to question 18 is YES, the project shall include mitigation measures which:

A. Are located in the project vicinity.

Explain:

B. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

C. Will prevent a net loss to individual species of wild game fish.

Explain:

D. Will prevent conversion of a wild game fish population and fishery to a hatchery dependent resource.

Explain:

E. Are consistent with ODFW management plans and programs in force on the effective date of these rules.

Explain:

F. Employ workable and generally accepted methods and techniques of mitigation best suited to the affected fish resource(s).

Explain:

20. If proposed at an undeveloped site, is it reasonably foreseeable that the location, design, construction or operation of the project may result in mortality or injury to an individual anadromous salmon or steelhead or loss of any salmon or steelhead habitat?

Explain: No, Non- anadromous basin

21. Modification of an existing facility or project on a stream reach used by anadromous salmon or steelhead or providing anadromous salmon or steelhead habitat shall include measures that:

A. Are reasonably certain to restore, enhance or improve existing salmon and steelhead populations in the affected river.

Explain:

B. Comply with wild game fish standards in paragraphs (2)(a)(C) and (D) of OAR 690-051-0200 if the affected salmon or steelhead populations contain wild fish.

Explain:

C. Are consistent with ODFW Fishery management plans and programs in force on the effective date of these rules.

Explain:

D. Employ workable and generally accepted methods and techniques best suited to the fish resources affected by the proposed project.

Explain:

E. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

23. Will the location, design, construction or operation of the proposed project jeopardize the continued existence of animal species that have been:

A. Designated, or officially proposed by the USFWS, or the NMFS (NOAA-FISHERIES-Fisheries) as threatened or endangered pursuant to the Endangered Species Act of 1973;

YES or **NO** Explain:

B. Identified by the Oregon Natural Heritage Data Base as endangered, threatened or limited in Oregon; or

YES or **NO** Explain:

C. Identified by the Oregon Fish and Wildlife Commission as threatened or endangered in Oregon.

YES or **NO** Explain:

24. Will the location, design, construction and operation of project facilities minimize adverse impacts on wildlife habitat, nesting and wintering grounds, and wildlife migratory routes?

YES or NO Explain:

25. Will project construction methods and scheduling minimize disruption of wildlife and avoid premature or unnecessary land clearing in the project vicinity?

YES or NO Explain

26. Will unavoidable adverse impacts on wildlife or wildlife habitat be mitigated in the project vicinity by methods such as replacement of vegetation, regulation of reservoir levels, creation of aquatic habitat, improvements in wildlife carrying capacity in the project vicinity or acquisition of land or management rights?

YES or **NO** Explain:

27. Will the project be consistent with applicable ODFW management programs in force on the effective date of these rules?

YES or NO Explain:

44. Will adverse impacts on wetlands as defined by OAR 141-085-0010(20) or identified by the Oregon Natural Heritage Database be avoided, minimized, or offset by acceptable mitigation?

YES or NO Explain:

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Docket No. CD14-22-000 – Oregon
Roaring Springs Headquarters
Hydropower Project
Roaring Springs Ranch

Mr. Darryl Anderson
Anderson Engineering & Surveying, Inc.
17681 Highway 395
Lakeview, OR 97630

August 26, 2014

Subject: Determination that the Roaring Springs Headquarters Hydropower Project Meets the Qualifying Conduit Hydropower Facility Criteria

Dear Mr. Anderson:

On June 23, 2014, you filed a notice of intent, on behalf of the Roaring Springs Ranch, pursuant to section 30(a) of the Federal Power Act (FPA), 16 U.S.C. § 823a (2012), as amended by Section 4 of the Hydropower Regulatory Efficiency Act of 2013, Pub. L. 113-23, § 4a, 127 Stat. 493 (2013), to construct a qualifying conduit hydropower facility, the Roaring Springs Headquarters Hydropower Project, to be located in Harney County, Oregon.

On July 7, 2014, Commission staff issued a public notice that preliminarily determined that the project met the statutory criteria for a qualifying conduit hydropower facility, and thus was not required to be licensed under Part I of the FPA. The notice established a 45-day period for entities to contest whether the project met the criteria. No comments were filed in response to the notice. Accordingly, this letter constitutes a written determination that the Roaring Springs Headquarters Hydropower Project meets the qualifying criteria under FPA section 30(a), and is not required to be licensed under Part I of the FPA.

If you have any questions, please contact Mr. Christopher Chaney at
(202) 502-6778 or christopher.chaney@ferc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Houff". The signature is fluid and cursive, with the first name "Kelly" and last name "Houff" clearly distinguishable.

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance

KOHANEK Craig

From: KOHANEK Craig
Sent: Thursday, August 21, 2014 1:21 PM
To: WISE Ted G
Subject: Outcome from the August 12th site visit at the Roaring Springs Ranch

Ted,

It's been a while since we last spoke. As you may or may not know, I am the Oregon Water Resources Department staff who is processing the applications, HE 610 and HE 611, for Roaring Springs Ranch. I thought I should check with you about the site visit you took to the ranch on August 12th and if there were any issues of concern pertaining to the projects.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrdd.state.or.us

KOHANEK Craig

From: Carmen Tague <carment@andersonengineering.com>
Sent: Monday, August 18, 2014 8:59 AM
To: KOHANEK Craig
Subject: RE: Land use forms for Roaring Springs Hydroelectric Projects

Thank you

Carmen Tague

Anderson Engineering & Surveying, Inc.
PO Box 28, Lakeview, OR 97630
(541) 947-4407

From: KOHANEK Craig [<mailto:ron.c.kohane@state.or.us>]
Sent: Monday, August 18, 2014 8:59 AM
To: Carmen Tague
Subject: RE: Land use forms for Roaring Springs Hydroelectric Projects

Carmen,

Given Harney County's practice of not giving the original to the applicant nor retaining it themselves, I will keep this email as evidence of this practice. The copies you sent are sufficient.

Craig

From: Carmen Tague [<mailto:carment@andersonengineering.com>]
Sent: Monday, August 18, 2014 8:54 AM
To: KOHANEK Craig
Subject: RE: Land use forms for Roaring Springs Hydroelectric Projects

Craig,

Harney County emailed us the signed land use forms. I contacted them and they do not keep the originals, they just keep a scanned electronic copy. I can mail you the copies we have, but they are not going to be original signatures.

You can contact Brandon McMullen at Harney County Planning Department, 541-573-6655 or brandon.mcmullen@co.harney.or.us, if you need confirmation of their approval.

Thanks!

Carmen Tague

Anderson Engineering & Surveying, Inc.
PO Box 28, Lakeview, OR 97630
(541) 947-4407

From: KOHANEK Craig [<mailto:ron.c.kohane@state.or.us>]
Sent: Thursday, August 14, 2014 9:38 AM

To: Carmen Tague

Subject: Land use forms for Roaring Springs Hydroelectric Projects

Carmen,

Please mail, to my attention, the original land use forms to complete the applications. The applications were placed on the Department's Public Notice on Tuesday, July 29th for a 30 day public comment period and were distributed to various federal, regional, state, and local governmental entities, as required by Oregon Revised Statute 543 and Oregon Administrative Rules Division 51, for their review and response to the questions based on their authority and responsibility. I contacted Stacy Davis on Tuesday with this same request and information but thought it prudent to contact you too.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

KOHANEK Craig

From: KOHANEK Craig
Sent: Monday, August 18, 2014 8:59 AM
To: 'Carmen Tague'
Subject: RE: Land use forms for Roaring Springs Hydroelectric Projects

Carmen,

Given Harney County's practice of not giving the original to the applicant nor retaining it themselves, I will keep this email as evidence of this practice. The copies you sent are sufficient.

Craig

From: Carmen Tague [<mailto:carment@andersonengineering.com>]
Sent: Monday, August 18, 2014 8:54 AM
To: KOHANEK Craig
Subject: RE: Land use forms for Roaring Springs Hydroelectric Projects

Craig,

Harney County emailed us the signed land use forms. I contacted them and they do not keep the originals, they just keep a scanned electronic copy. I can mail you the copies we have, but they are not going to be original signatures.

You can contact Brandon McMullen at Harney County Planning Department, 541-573-6655 or brandon.mcmullen@co.harney.or.us, if you need confirmation of their approval.

Thanks!

Carmen Tague

Anderson Engineering & Surveying, Inc.
PO Box 28, Lakeview, OR 97630
(541) 947-4407

From: KOHANEK Craig [<mailto:ron.c.kohanek@state.or.us>]
Sent: Thursday, August 14, 2014 9:38 AM
To: Carmen Tague
Subject: Land use forms for Roaring Springs Hydroelectric Projects

Carmen,

Please mail, to my attention, the original land use forms to complete the applications. The applications were placed on the Department's Public Notice on Tuesday, July 29th for a 30 day public comment period and were distributed to various federal, regional, state, and local governmental entities, as required by Oregon Revised Statute 543 and Oregon Administrative Rules Division 51, for their review and response to the questions based on their authority and responsibility. I contacted Stacy Davis on Tuesday with this same request and information but thought it prudent to contact you too.

R. Craig Kohanek

Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrd.state.or.us

KOHANEK Craig

From: Carmen Tague <carment@andersonengineering.com>
Sent: Monday, August 18, 2014 8:54 AM
To: KOHANEK Craig
Subject: RE: Land use forms for Roaring Springs Hydroelectric Projects

Craig,

Harney County emailed us the signed land use forms. I contacted them and they do not keep the originals, they just keep a scanned electronic copy. I can mail you the copies we have, but they are not going to be original signatures.

You can contact Brandon McMullen at Harney County Planning Department, 541-573-6655 or brandon.mcmullen@co.harney.or.us, if you need confirmation of their approval.

Thanks!

Carmen Tague

Anderson Engineering & Surveying, Inc.
PO Box 28, Lakeview, OR 97630
(541) 947-4407

From: KOHANEK Craig [<mailto:ron.c.kohane@state.or.us>]
Sent: Thursday, August 14, 2014 9:38 AM
To: Carmen Tague
Subject: Land use forms for Roaring Springs Hydroelectric Projects

Carmen,

Please mail, to my attention, the original land use forms to complete the applications. The applications were placed on the Department's Public Notice on Tuesday, July 29th for a 30 day public comment period and were distributed to various federal, regional, state, and local governmental entities, as required by Oregon Revised Statute 543 and Oregon Administrative Rules Division 51, for their review and response to the questions based on their authority and responsibility. I contacted Stacy Davis on Tuesday with this same request and information but thought it prudent to contact you too.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohane@wrđ.state.or.us

KOHANEK Craig

From: KOHANEK Craig
Sent: Thursday, August 14, 2014 9:38 AM
To: 'carment@andersonengineering.com'
Subject: Land use forms for Roaring Springs Hydroelectric Projects

Carmen,

Please mail, to my attention, the original land use forms to complete the applications. The applications were placed on the Department's Public Notice on Tuesday, July 29th for a 30 day public comment period and were distributed to various federal, regional, state, and local governmental entities, as required by Oregon Revised Statute 543 and Oregon Administrative Rules Division 51, for their review and response to the questions based on their authority and responsibility. I contacted Stacy Davis on Tuesday with this same request and information but thought it prudent to contact you too.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

KOHANEK Craig

From: KOHANEK Craig
Sent: Tuesday, August 12, 2014 8:57 AM
To: 'roaringspringsranch@gmail.com'
Subject: Applications for minor hydroelectric projects
Attachments: HE 610 public notice.pdf

Stacy,

Your two applications for minor hydroelectric projects were placed on the Oregon Water Resources Department (OWRD) public notice July 29th for a 30 day public comment period. Copies of the applications and maps were also distributed to a number of federal, regional, state, and local government entities, as required by Oregon Revised Statute 543 and Oregon Administrative Rules Division 51, for their review and response to questions based on their authority and responsibility. We received electronic versions of the local land use forms, but want to confirm that the originals have or will be sent to OWRD. If they've yet to be sent, please send them to my attention. Attached is a copy of the public notice for HE 610 and 611.

Sincerely,

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrd.state.or.us

KOHANEK Craig

From: Lickwar, Peter <peter_lickwar@fws.gov>
Sent: Monday, August 11, 2014 3:20 PM
To: ron.c.kohaneke@state.or.us; WISE Ted G
Subject: Re: Fwd: Minor hydroelectric application for Roaring Springs Ranch

GreetingS;

I'm with the USFWS in Bend, Oregon, and your inquiries about the two proposed Roaring Springs hydro projects were forwarded to me. I've been looking into the proposed hydros, and talking to the ODFW's Ted Wise about them. My understanding is that the water for the Three Mile Project is already screened, and the water for the Headquarters Project is from a spring source that has no fish. Based on the available information, it does not appear that the project's will have adverse affects to federal trust resources, ESA species, federal reservations, or USFWS conservation projects. Thus, the USFWS will not be making any filings with FERC regarding them.

Thanks,

Peter



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE, Ste C

Salem, OR 97301-1266

(503) 986-0690

Fax (503) 986-0793

www.oregonheritage.org



August 8, 2014

Mr. Craig Kohanek
Oregon Water Resources
725 Summer St NE STE A
Salem, OR 97301

RECEIVED BY OWRD

AUG 12 2014

SALEM, OR

RE: SHPO Case No. 14-1311
OWRD Application HE 611 Roaring Springs Ranch
FOE/Hydroelectric Application
OWRD
34S 32E 5, , Harney County

Dear Mr. Kohanek:

Our office recently received a request to review your application for the project referenced above. In checking our statewide archaeological database, it appears that there have been no previous surveys completed near the proposed project area. However, the project area lies within an area generally perceived to have a high probability for possessing archaeological sites and/or buried human remains.

In the absence of sufficient knowledge to predict the location of cultural resources within the project area, extreme caution is recommended during project related ground disturbing activities. Under state law (ORS 358.905 and ORS 97.74) archaeological sites, objects and human remains are protected on both state public and private lands in Oregon. If archaeological objects or sites are discovered during construction, all activities should cease immediately until a professional archaeologist can evaluate the discovery. If you have not already done so, be sure to consult with all appropriate Indian tribes regarding your proposed project. If the project has a federal nexus (i.e., federal funding, permitting, or oversight) please coordinate with the appropriate lead federal agency representative regarding compliance with Section 106 of the National Historic Preservation Act (NHPA).

If you have any questions about the above comments or would like additional information, please feel free to contact our office at your convenience. In order to help us track your project accurately, please reference the SHPO case number above in all correspondence.

Sincerely,

Dennis Griffin, Ph.D., RPA
State Archaeologist
(503) 986-0674
dennis.griffin@oregon.gov



KOHANEK Craig

From: Wilcox, Jana <jawilcox@blm.gov>
Sent: Friday, August 08, 2014 8:51 AM
To: KOHANEK Craig
Subject: Re: Minor hydroelectric application notification HE 611 for Roaring Springs Ranch

Hi Ron, I have received the information and I am looking over them to respond to your questions.
Jana

Jana A. Wilcox
District Water Rights Specialist
Burns BLM
541-573-4438

On Tue, Aug 5, 2014 at 2:18 PM, KOHANEK Craig <ron.c.kohaneck@state.or.us> wrote:

Jana,

The Oregon Water Resources Department (OWRD) is currently reviewing HE 611, an application by Roaring Springs Ranch Inc., for a new minor hydroelectric water right in Harney County. Application HE 611 is for 2,693 gallons per minute (6.0 cubic feet per second) of water from Roaring Springs, tributary to Catlow Valley. The project will use 123 feet of head to develop 84 theoretical horsepower for use at the ranch with any remainder being net metered to Harney County Electric.

The point of diversion for this project is within the NE ¼ NW ¼ of Section 5, Township 34 South, Range 32 East, W.M.. The proposed project begins at Roaring Springs where perforated pipe and clean graveled trenches develop a pipe network that flow into a spring box. The spring box will be a 48" by 60" precast concrete structure that will act as the spring water manifold and capture the spring water as it surfaces. The pipe network will consist of four and six inch perforated pipe laid in a four foot deep, three foot wide trench of three inch drain rock. The four and six inch perforated pipes will drain into the spring box while the outlet will be a ten inch Schedule 40 poly-vinyl chloride (PVC) pipe. This pipe, approximately 1000 feet in length and dropping 123 feet in elevation, will be connected to a dual nozzle Pelton type turbine with a 600 rpm induction generator. No fish screen should be required as there are no fish present at the spring where the waters diverted.

After passing through the turbine, the water will discharge into an unnamed pond. The project water will be metered to ensure compliance with the water right rate and will have a by-pass valve capable of diverting all of the flow.

Consultation

A “minor” hydroelectric project is any project generating less than 100 theoretical horsepower. As part of OWRD’s application review process, a number of state and federal agencies must be consulted. This is the consultation and questionnaire for this application as it relates to your agency. A copy of the application is attached for your review.

The OWRD respectfully requests input from your agency on several questions that are specific to your agency’s area of expertise. You may also submit general comments on the application, including whether your agency has any statutes, rules, permit requirements, etc., that apply to this project.

The OWRD has developed this questionnaire to fulfill the agency consultation requirement contained in Oregon Administrative Rules (OAR) 690-051-0060 and to generate information to enable the OWRD to make findings of fact on whether this application satisfies the resource protection standards contained in OAR 690-051-190 to OAR 690-51-260.

Please respond to each of the questions below concerning this application as they may relate to your agency’s expertise, statutes, rules and other requirements. If you have additional comments, please include them. If you have no concerns regarding the application, you may state, “NO CONCERNS” and submit your reply to OWRD as indicated below.

Responses should be sent by reply e-mail to Ron.c.kohaneck@wrd.state.or.us or U.S. mail as shown below. Comments must be received by 5:00 PM on **September 4, 2014**.

Please Respond To These Questions:

1. Is the project located in any of the following areas?

A. National parks

YES or NO If YES, please specify:

B. National monuments

YES or NO If YES, please specify:

C. Wilderness areas established by federal law

YES or NO If YES, please specify:

D. Bureau of Land Management areas of critical environmental concern established under federal law

YES or NO If YES, please specify:

E. Wild and scenic rivers established by federal law

YES or NO If YES, please specify:

...

G. Federal research natural areas established under federal regulation

YES or NO If YES, please specify:

45. Will project facilities be designed and located to avoid or minimize adverse impacts on:

...

B. Scenic and aesthetic resources identified by state or federal agencies as outstanding, significant or deserving special protection.

YES or NO Explain:

Next Step In The Process:

After the current 30-day comment period expires, OWRD will evaluate all public and agency comments and will prepare a technical report and draft water right (if OWRD recommends approval of the water right). The technical report will be issued for a 60-day comment period. If your agency does not submit any comments on the technical report and draft water right by the end of the 60-day comment period, OWRD will assume that your agency has no concerns on whether the application meets applicable resource protection standards, and/or your agency has no rules or regulations applicable to the project.

If you have any questions or concerns, please call me at 503-986-0823.

Thank you very much for your cooperation and input concerning this application.

Sincerely,

Ron C. Kohanek

Hydroelectric Project Analyst

Oregon Water Resources Department

Phone: 503-986-0823

Fax: 503-986-0901

Ron.C.Kohanek@wrd.state.or.us

KOHANEK Craig

From: Weist, Karl <kweist@nwcouncil.org>
Sent: Tuesday, August 05, 2014 3:22 PM
To: 'KOHANEK Craig'
Subject: RE: Minor hydroelectric application notification HE 611 for Roaring Springs Ranch
Attachments: HE 611 Roaring Springs Ranch 8-14.docx

Craig, thanks for allowing us to review the application. I have enclosed our comments.

KARL

One cannot be betrayed if one has no people.

From: KOHANEK Craig [mailto:ron.c.kohane@state.or.us]
Sent: Tuesday, August 05, 2014 10:29 AM
To: Weist, Karl
Subject: RE: Minor hydroelectric application notification HE 611 for Roaring Springs Ranch

Karl,

The Oregon Water Resources Department (OWRD) is currently reviewing HE 611, an application by Roaring Springs Ranch Inc., for a new minor hydroelectric water right in Harney County. Application HE 611 is for 2,693 gallons per minute (6.0 cubic feet per second) of water from Roaring Springs, tributary to Catlow Valley. The project will use 123 feet of head to develop 84 theoretical horsepower for use at the ranch with any remainder being net metered to Harney County Electric.

The point of diversion for this project is within the NE ¼ NW ¼ of Section 5, Township 34 South, Range 32 East, W.M.. The proposed project begins at Roaring Springs where perforated pipe and clean graveled trenches develop a pipe network that flow into a spring box. The spring box will be a 48" by 60" precast concrete structure that will act as the spring water manifold and capture the spring water as it surfaces. The pipe network will consist of four and six inch perforated pipe laid in a four foot deep, three foot wide trench of three inch drain rock. The four and six inch perforated pipes will drain into the spring box while the outlet will be a ten inch Schedule 40 poly-vinyl chloride (PVC) pipe. This pipe, approximately 1000 feet in length and dropping 123 feet in elevation, will be connected to a dual nozzle Pelton type turbine with a 600 rpm induction generator. No fish screen should be required as there are no fish present at the spring where the waters diverted.

After passing through the turbine, the water will discharge into an unnamed pond. The project water will be metered to ensure compliance with the water right rate and will have a by-pass valve capable of diverting all of the flow.

Consultation

A "minor" hydroelectric project is any project generating less than 100 theoretical horsepower. As part of OWRD's application review process, a number of state and federal agencies must be consulted. This is the consultation and questionnaire for this application as it relates to your agency. A copy of the application is attached for your review.

The OWRD respectfully requests input from your agency on several questions that are specific to your agency's area of expertise. You may also submit general comments on the application, including whether your agency has any statutes, rules, permit requirements, etc., that apply to this project.

The OWRD has developed this questionnaire to fulfill the agency consultation requirement contained in Oregon

Administrative Rules (OAR) 690-051-0060 and to generate information to enable the OWRD to make findings of fact on whether this application satisfies the resource protection standards contained in OAR 690-051-190 to OAR 690-51-260.

Please respond to each of the questions below concerning this application as they may relate to your agency's expertise, statutes, rules and other requirements. If you have additional comments, please include them. If you have no concerns regarding the application, you may state, "NO CONCERNS" and submit your reply to OWRD as indicated below.

Responses should be sent by reply e-mail to Ron.c.kohanek@wrд.state.or.us or U.S. mail as shown below. Comments must be received by 5:00 PM on **September 4, 2014**.

Please Respond To These Questions:

1. Is the project located in any of the following areas?

A. National parks

YES or NO If YES, please specify:

B. National monuments

YES or NO If YES, please specify:

C. Wilderness areas established by federal law

YES or NO If YES, please specify:

...

E. Wild and scenic rivers established by federal law

YES or NO If YES, please specify:

...

G. Federal research natural areas established under federal regulation

YES or NO If YES, please specify:

...

J. State wildlife refuges

YES or NO If YES, please specify:

11. Will project facilities and operations have significant adverse impacts on fish populations?

YES or NO Explain:

12. Will project facilities and operations unreasonably interfere with upstream and downstream passage of fish through the project vicinity? (If the answer is yes, the OWRD Director, or in cases where the final order is approved by the Commission, the Commission may make exceptions in special cases where fish populations have been significantly damaged by past activities and the proposed single- or multiple-purpose project development will improve existing fish populations).

YES or NO Explain:

13. Have project facilities and operation been designed to mitigate, to the greatest extent practicable, adverse impacts upon spawning, rearing or other habitat areas necessary to maintain the levels and existing diversity of fish species?

YES or NO Explain:

14. Will unavoidable adverse impacts on fish or to fish management programs be mitigated? YES or NO Explain:

15. Are project construction, timing, and procedures designed to minimize fishery impacts from instream construction work and premature or unnecessary land clearing and disturbances?

YES or NO Explain:

16. Are all fishery protective measures scheduled to be fully functional when the project commences operations?
YES or NO Explain:

18. Is any part of the project located on a river or stream reach used by wild game fish, or that would adversely affect wild game fish?
YES or NO Explain:

19. If the answer to question 18 is YES, the project shall include mitigation measures which:

A. Are located in the project vicinity.
Explain:

B. Are in effect at the time of adverse impact or start of project operation, whichever comes first.
Explain:

C. Will prevent a net loss to individual species of wild game fish.
Explain:

D. Will prevent conversion of a wild game fish population and fishery to a hatchery dependent resource.
Explain:

E. Are consistent with ODFW management plans and programs in force on the effective date of these rules.
Explain:

F. Employ workable and generally accepted methods and techniques of mitigation best suited to the affected fish resource(s).
Explain:

20. If proposed at an undeveloped site, is it reasonably foreseeable that the location, design, construction or operation of the project may result in mortality or injury to an individual anadromous salmon or steelhead or loss of any salmon or steelhead habitat?
Explain:

21. Modification of an existing facility or project on a stream reach used by anadromous salmon or steelhead or providing anadromous salmon or steelhead habitat shall include measures that:

A. Are reasonably certain to restore, enhance or improve existing salmon and steelhead populations in the affected river.
Explain:

B. Comply with wild game fish standards in paragraphs (2)(a)(C) and (D) of OAR 690-051-0200 if the affected salmon or steelhead populations contain wild fish.
Explain:

...

D. Employ workable and generally accepted methods and techniques best suited to the fish resources affected by the proposed project.
Explain:

E. Are in effect at the time of adverse impact or start of project operation, whichever comes first.

Explain:

23. Will the location, design, construction or operation of the proposed project jeopardize the continued existence of animal species that have been:

A. Designated, or officially proposed by the USFWS, or the NMFS (NOAA-FISHERIES-Fisheries) as threatened or endangered pursuant to the Endangered Species Act of 1973;

YES or NO Explain:

B. Identified by the Oregon Natural Heritage Data Base as endangered, threatened or limited in Oregon; or

YES or NO Explain:

C. Identified by the Oregon Fish and Wildlife Commission as threatened or endangered in Oregon.

YES or NO Explain:

24. Will the location, design, construction and operation of project facilities minimize adverse impacts on wildlife habitat, nesting and wintering grounds, and wildlife migratory routes?

YES or NO Explain:

25. Will project construction methods and scheduling minimize disruption of wildlife and avoid premature or unnecessary land clearing in the project vicinity?

YES or NO Explain:

26. Will unavoidable adverse impacts on wildlife or wildlife habitat be mitigated in the project vicinity by methods such as replacement of vegetation, regulation of reservoir levels, creation of aquatic habitat, improvements in wildlife carrying capacity in the project vicinity or acquisition of land or management rights?

YES or NO Explain:

29. Will the location, design, construction or operation of the proposed project jeopardize the continued existence of plant species that are:

A. Designated or officially proposed by the USFWS as threatened or endangered pursuant to the Endangered Species Act of 1973;

YES or NO Explain:

B. Identified by the Oregon Natural Heritage Database as endangered, threatened or limited in Oregon.

YES or NO Explain:

Next Step In The Process:

After the current 30-day comment period expires, OWRD will evaluate all public and agency comments and will prepare a technical report and draft water right (if OWRD recommends approval of the water right). The technical report will be issued for a 60-day comment period. If your agency does not submit any comments on the technical report and draft water right by the end of the 60-day comment period, OWRD will assume that your agency has no concerns on whether the application meets applicable resource protection standards, and/or your agency has no rules or regulations applicable to the project.

If you have any questions or concerns, please call me at 503-986-0823.

Thank you very much for your cooperation and input concerning this application.

Sincerely,

Ronald C. Kohanek
Hydroelectric Project Analyst
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

August 5, 2014

**Oregon Water Resources Department
ATTN: R. Craig Kohanek
725 Summer St. NE
Salem, OR 97301-1271**

RE: Comments of the Northwest Power and Conservation Council regarding HE 611 application for Roaring Springs Ranch Inc.

Dear Mr. Kohanek:

The Northwest Power and Conservation Council (Council) has reviewed the application for a “minor” hydroelectric water right for HE 611 from Roaring Springs Ranch Inc. and offers the following comments in response to the three questions you addressed to the Council.

Questions

1. Is the project located in an area of concern to your agency such as ... a Federal research natural area established under federal regulation?

NO.

28. If within the Columbia River Basin, will the project be consistent with the provisions of the NPPC's Columbia River Basin Fish and Wildlife Program and the Northwest Conservation and Electric Power Plan? Certification of compliance by the NPPC shall satisfy this standard.

YES.. Explain: The proposed project is outside the Columbia River Basin, but appears to be consistent with the provisions of the Council’s Fish and Wildlife Program regarding areas to be protected from future hydroelectric development, known as the "Protected Areas" portion of the program. This is true even though the project is located outside the Columbia basin.

The Council developed the “Protected Areas List” as part of the 1988 Fish and Wildlife Program and has continued to include a Protected Areas section through the current 2009 Program. The list identifies stream reaches throughout the northwest states that are free from hydroelectric development and that support important fish and wildlife resources and so should remain free from such development. The list included streams not in the Columbia Basin drainage. At the time the Council adopted the Protected Areas list and the provisions to protect these sensitive resources from hydroelectric development, the Council believed that protecting only the streams located in the Columbia basin would focus pressure for hydroelectric development on streams outside the basin that also contained sensitive fish and wildlife resources (and were within the Northwest service and transmission territories of Bonneville and its customers). We were concerned that allowing such impacts on fish and wildlife populations outside the basin could eventually put additional pressure back on fish and wildlife resources within the Columbia Basin.

Thus, we adopted our Protected Areas to include the geographic area of the four northwest states, including areas outside the Columbia Basin such as the Illinois River drainage.

However, after reviewing maps of the project location and comparing those maps to the protected area designations on the Streamnet website <http://map.streamnet.org/protectedquery/viewer.htm>, I have determined the proposed project occurs outside a hydroelectric development protected area for either resident fish or wildlife.

I have enclosed a copy of the Program's Hydroelectric Development Conditions from our current Fish and Wildlife Program for your information.

45. Will project facilities be designed and located to avoid or minimize adverse impacts on:

...

B. Scenic and aesthetic resources identified by state or federal agencies as outstanding, significant or deserving special protection.

YES. Explain: Please see the explanation to question 28, above.

Please feel free to contact Peter Paquet, John Shurts or me with any question you might have regarding this application. Thank you for considering our comments.

Sincerely,

Karl Weist
Fish and Wildlife Policy Analyst – Oregon Office
Northwest Power and Conservation Council
503-229-5192

Appendix B - Hydroelectric Development Conditions

Future Hydroelectric Development

Much of this program has focused on mitigating damage done to Columbia River Basin fish and wildlife by hydropower development and operations in the past. But the future is equally important. The Corps of Engineers and the Bureau of Reclamation continue to study the need for additional federal hydroelectric projects and to plan for new development in the basin. The Federal Energy Regulatory Commission has many permits and applications pending for hydroelectric development in Idaho, Oregon, Montana and Washington. Many of those applications and permits are for projects throughout the Columbia River Basin. Dozens of small or medium-sized hydroelectric projects are proposed for tributary drainage basins that contain important anadromous fish habitat. However, most new hydroelectric development will be accomplished by private or non-federal public entities licensed by the Federal Energy Regulatory Commission.

Many of the proposals are for hydroelectric projects that would produce less than 5 megawatts of electricity. Although individual small projects may have no significant adverse effects on the fish and wildlife resources of the basin, the cumulative effects of such development throughout a river basin could be quite harmful. These cumulative effects need to be taken into account fully.

The Council estimates that 4,600 stream miles of Columbia River Basin salmon and steelhead spawning and rearing habitat have been lost to development, not including losses of migration routes and of resident fish and wildlife habitat. Minimizing further habitat loss is especially important in view of the Council's goal of doubling salmon and steelhead runs in the Columbia River Basin consistent with system policies (see Sections 2 and 4). Development in critical fish and wildlife areas leads to divisive and expensive conflicts that the Council believes can be avoided through resource planning.

The Council finds that future hydroelectric developers in the basin should be required to mitigate harm to fish and wildlife and has adopted program measures calling for such mitigation. New hydroelectric development has the potential to cause further damage to the basin's fish and wildlife resources as well as to negate ongoing Council efforts to remedy damage caused by the existing hydropower system. Federal agencies also should assess and mitigate the cumulative effects on fish and wildlife of multiple hydroelectric projects.

The Council also intends to continue to review applications for Federal Energy Regulatory Commission permits and licenses and for Corps of

Engineers and Bureau of Reclamation proposals for hydroelectric development. The purpose of this review is to identify program measures related to the proposed development to ensure that any new development in the basin is consistent with this fish and wildlife program and the Council's Northwest Power Plan. The Council's reviews would complement and recognize, not supplant, the role of the fish and wildlife agencies and tribes in reviewing proposals for hydroelectric projects.

1. Conditions

Federal Energy Regulatory Commission, Corps of Engineers, Bureau of Reclamation and Bonneville

Do not license, exempt from license, relicense, propose, recommend, agree to acquire or wheel power from, grant billing credits for, or otherwise support any hydroelectric development in the Columbia River Basin without specifically providing for these development conditions:

- Consultation with the fish managers and the Council throughout study, design, construction and operation of the project;
- Specific plans for flows and fish facilities prior to construction;
- The best available means for aiding downstream and upstream passage of anadromous and resident fish;
- Flows and reservoir levels of sufficient quantity and quality to protect spawning, incubation, rearing and migration;
- Full compensation for unavoidable fish losses or fish habitat losses through habitat restoration or replacement, appropriate propagation, or similar measures consistent with the provisions of this program;
- Assurance that the project will not inundate the usual and accustomed, traditional or contemporary fishing places of any tribe without tribal approval;
- Assurance that the project will not degrade fish habitat or reduce numbers of fish in such a way that the exercise of treaty or executive order tribal rights will be diminished;
- Assurance that all fish protection measures are fully operational at the time the project begins operation;
- The collection of data needed to monitor and evaluate the results of the fish protection efforts; and
- Assurance that the project will not degrade water quality beyond the point necessary to sustain sensitive fish species (as designated in consultation with the fish managers).

Do not license, relicense, exempt from license, propose, recommend, agree to acquire or wheel power from, grant billing credits for, or otherwise support any hydroelectric development in the Columbia River Basin without specifically providing for these development conditions:

- Consultation with wildlife managers and the Council throughout study, design, construction and operation of the project;
- Avoiding inundation of wildlife habitat, insofar as practical;
- Timing construction activities, insofar as practical, to reduce adverse effects on nesting and wintering grounds;

- Locating temporary access roads in areas to be inundated;
- Constructing subimpoundments and using all suitable excavated material to create islands, if appropriate, before the reservoir is filled;
- Avoiding all unnecessary or premature clearing of land before filling the reservoir;
- Providing artificial nest structures when appropriate;
- Avoiding construction, insofar as practical, within 250 meters of active raptor nests;
- Avoiding critical riparian habitat (as designated in consultation with the wildlife managers) when clearing, riprapping, dredging, disposing of spoils and wastes, constructing diversions, and relocating structures and facilities;
- Replacing riparian vegetation if natural revegetation is inadequate;
- Creating subimpoundments by diking backwater slough areas, creating islands and nesting areas;
- Regulating water levels to reduce adverse effects on wildlife during critical wildlife periods (as defined in consultation with the fish and wildlife managers);
- Improving the wildlife capacity of undisturbed portions of new project areas (through such activities as managing vegetation, reducing disturbance, and supplying food, cover and water) as compensation for otherwise unmitigated harm to wildlife and wildlife habitat in other parts of the project area;
- Acquiring land or management rights, such as conservation easements, where necessary to compensate for lost wildlife habitat at the same time other project land is acquired and including the associated costs in project cost estimates;
- Funding operation and management of the acquired wildlife land for the life of the project;
- Granting management easement rights on the acquired wildlife lands to appropriate management entities;
- Collecting data needed to monitor and evaluate the results of the wildlife protection efforts;
- Assurance that the project will not inundate the usual and accustomed, traditional or contemporary hunting places of any tribe without tribal approval; and
- Assurance that the project will not degrade wildlife habitat or reduce numbers of wildlife in such a way that the exercise of treaty or executive order tribal rights will be diminished.

Ensure that all licenses for hydroelectric projects or documents that propose, recommend or otherwise support hydroelectric development explain in detail how the provisions of this section will be accomplished or the reasons why the provisions cannot be incorporated into the project.

2. Protected Areas

From the inception of this program, the Council has supported the concept of protecting some streams and wildlife habitats from hydroelectric development, where the Council believes such development would have major negative impacts that could not be

reversed. Beginning in 1983, the Council directed extensive studies of existing habitat and has analyzed alternative means of protection. In 1988, the Council concluded that: 1) the studies had identified fish and wildlife resources of critical importance to the region; 2) mitigation techniques cannot assure that all adverse impacts of hydroelectric development on these fish and wildlife populations will be mitigated; 3) even small hydroelectric projects may have unacceptable individual and cumulative impacts on these resources; and 4) protecting these resources and habitats from hydroelectric development is consistent with an adequate, efficient, economical, and reliable power supply. The Council, relying on these studies, designated certain river reaches in the basin as "protected areas," where the Council believes hydroelectric development would have unacceptable risks of loss to fish and wildlife species of concern, their productive capacity or their habitat.

River reaches to be protected are those reaches or portions of reaches listed on the "Protected Areas List" adopted by the Council on August 10, 1988, and subsequently. For each river reach listed on the Protected Areas List, the fish and wildlife to be protected are those on the list. The Council will supply a copy of the Protected Areas List to any party free of charge.

Protect Areas From New Hydropower Development

The following are not affected by protected areas:

- Any hydroelectric facility or its existing impoundment that as of August 10, 1988, had been licensed or exempted from licensing by the Federal Energy Regulatory Commission;
- The relicensing of such hydroelectric facility or its existing impoundment;
- Any modification of any existing hydroelectric facility or its existing impoundment; and
- Any addition of hydroelectric generation facilities to a non-hydroelectric dam or diversion structure.
- Transition projects: The Council recognizes that there exist, as of August 10, 1988, applications for hydroelectric projects that are in various stages of completion before the Federal Energy Regulatory Commission. In many cases the applicants have made substantial investments and have completed, or nearly completed, agreements with all interested parties, including state fish and wildlife agencies. The Council recognizes that the Federal Energy Regulatory Commission may be obligated to complete its processes on these applications, but expects where possible that this measure will be taken into account to the fullest extent practicable.

The Council recognizes that there may exist preliminary permits or applications for licenses or exemptions for hydroelectric projects at sites that were not previously within protected areas, but which may be included within protected areas as a result of amendments approved by the Council. An important purpose of protected areas is to encourage developers to site projects outside protected areas. The Council therefore exempts from the effect of an amendment that designates a previously unprotected area as protected, any project for which

the developer had obtained a preliminary permit or filed an application for license or exemption prior to the date on which the Council entered rulemaking on the amendment. However, it is the Council's intention that the Federal Energy Regulatory Commission give full consideration to the protection of fish and wildlife resources located at these project sites and provide suitable protection and mitigation for such resources in the event that a license or exemption is approved.

- Effect on water rights and riparian areas: This measure should not be interpreted to authorize the appropriation of water by any entity or individual, affect water rights or jurisdiction over water, or alter or establish any water or water-related right. The Council does not intend this measure to alter or affect any state or federal water quality classification or standards, or alter any management plan developed pursuant to the national Forest Management Act, 16 U.S.C. 1601, et seq., or the Federal Land Policy Management Act, 43 U.S.C. 1701, et seq., except to the extent planning decisions are directly related to hydropower licensing and development. Nor should this measure be interpreted to alter, amend, repeal, interpret, modify, or conflict with any interstate compact made by the states. If this measure is found by a court or other competent authority to conflict with any other interstate compact, this measure will terminate with respect to the area involved, without further action of the Council.

This measure applies to river reaches, or portions of river reaches, and to river banks or surrounding areas only where such areas would be directly affected by a proposed hydroelectric project. In adopting this measure, the Council has not attempted to balance all the factors that may be relevant to land management determinations.

Bonneville Power Administration

Do not acquire power from hydroelectric projects located in protected areas. The Council believes that the Long-Term Intertie Access Policy's reliance on protected areas is consistent with the Council's power plan and fish and wildlife program as they apply to fish and wildlife in the Columbia River Basin. The Council continues to recommend that Bonneville adopt a similar policy with respect to protected areas outside the Columbia River Basin.

Federal Energy Regulatory Commission

Under the Northwest Power Act, the Federal Energy Regulatory Commission, and all other federal agencies responsible for managing, operating, or regulating federal or non-federal hydroelectric facilities located on the Columbia River or its tributaries are required to take protected area designations into account to the fullest extent practicable at all relevant stages of decision-making processes. The Council recognizes that the Federal Energy Regulatory Commission makes licensing and exemption decisions for nonfederal projects, and does not expect that the Commission will abandon its normal processes with regard to projects located in protected areas. Rather, consistent with Section 4(h)(11) of the Northwest Power Act, the Council expects that

the Federal Energy Regulatory Commission will take the Council's judgment into account, and implement that judgment in licensing and exemption decisions unless the Federal Energy Regulatory Commission's legal responsibilities require otherwise.

c:\users\weist\documents\relicens\good to go\he 611 roaring springs ranch 8-14.docx (El Duderino)

KOHANEK Craig

From: KOHANEK Craig
Sent: Friday, August 01, 2014 1:10 PM
To: HOLMES Codi N
Subject: For Public Notice
Attachments: HE 610 public notice.doc

Codi,

The attached document should appear in next week's public notice.

Thank you.

R. Craig Kohanek
Water Rights Specialist
Reimbursement Authority
Oregon Water Resources Department
Phone: 503-986-0823
Fax: 503-986-0901
Ron.C.Kohanek@wrд.state.or.us

Applications For Minor Hydroelectric Projects

The Department seeks public comment on the following application for a new minor hydroelectric project. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application: HE 610
Applicant: Roaring Springs Ranch Inc.
Address: 31437 Highway 205, Frenchglen, OR 97736
Amount of water: 1.0 cubic feet per second
Source of water: Three Mile Creek tributary to Catlow Valley
Location of the
Point of Diversion: Tax lot 200, SE ¼ NW ¼ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Place of Use: Tax lot 200, NE ¼ SW ¼ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Purpose: Electricity production
Power developed: Up to 24 Theoretical horsepower

Application: HE 611
Applicant: Roaring Springs Ranch Inc.
Address: 31437 Highway 205, Frenchglen, OR 97736
Amount of water: 6.0 cubic feet per second
Source of water: Roaring Springs Creek tributary to Catlow Valley
Location of the
Point of Diversion: Tax lot 200, NE ¼ NW ¼ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Place of Use: Tax lot 200, NW ¼ NW ¼ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Purpose: Electricity production
Power developed: Up to 84 Theoretical horsepower

Comments are Due, September 4, 2014

Applications For Minor Hydroelectric Projects

The Department seeks public comment on the following application for a new minor hydroelectric project. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application:	HE 610
Applicant:	Roaring Springs Ranch Inc.
Address:	31437 Highway 205, Frenchglen, OR 97736
Amount of water:	1.0 cubic feet per second
Source of water:	Three Mile Creek tributary to Catlow Valley
Location of the Point of Diversion:	Tax lot 200, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Place of Use:	Tax lot 200, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Purpose:	Electricity production
Power developed:	Up to 24 Theoretical horsepower

Application:	HE 611
Applicant:	Roaring Springs Ranch Inc.
Address:	31437 Highway 205, Frenchglen, OR 97736
Amount of water:	6.0 cubic feet per second
Source of water:	Roaring Springs Creek tributary to Catlow Valley
Location of the Point of Diversion:	Tax lot 200, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Place of Use:	Tax lot 200, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Purpose:	Electricity production
Power developed:	Up to 84 Theoretical horsepower

Comments are Due, September 4, 2014

Applications For Minor Hydroelectric Projects

The Department seeks public comment on the following application for a new minor hydroelectric project. Comments must be submitted within 30 days of publication of the notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application: HE 610
Applicant: Roaring Springs Ranch Inc.
Address: 31437 Highway 205, Frenchglen, OR 97736
Amount of water: 1.0 cubic feet per second
Source of water: Three Mile Creek tributary to Catlow Valley
Location of the
Point of Diversion: Tax lot 200, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Place of Use: Tax lot 200, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 35 South, Range 32 East, W.M., Harney County
Purpose: Electricity production
Power developed: Up to 24 Theoretical horsepower

Application: HE 611
Applicant: Roaring Springs Ranch Inc.
Address: 31437 Highway 205, Frenchglen, OR 97736
Amount of water: 6.0 cubic feet per second
Source of water: Roaring Springs Creek tributary to Catlow Valley
Location of the
Point of Diversion: Tax lot 200, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Place of Use: Tax lot 200, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 34 South, Range 32 East, W.M., Harney County
Purpose: Electricity production
Power developed: Up to 84 Theoretical horsepower

Comments are Due, September 4, 2014

KOHANEK Craig

From: GRAINEY Mary S
Sent: Wednesday, July 30, 2014 11:36 AM
To: KOHANEK Craig
Subject: FW: Roaring Springs Hydropower Application
Attachments: LUCS 2014 - Roarding Springs- H2o right - Hyro pwr - T34R32 - OWRD - 07-28-2014.pdf; LUCS 2014 - Roarding Springs- H2o right - Hyro pwr - T35R32 - OWRD - 07-28-2014.pdf

Craig, here are scanned copies of the signed land use forms. Should we verify that the originals are also on their way to us?

I reckon we are ready for public notice now.

Thanks. -- Mary

From: Carmen Tague [<mailto:carmen@andersonengineering.com>]
Sent: Wednesday, July 30, 2014 9:25 AM
To: mary.s.grainey@state.or.us
Subject: Roaring Springs Hydropower Application

Mary,

I attached the completed Land Use Forms for the 2 Roaring Springs Ranch hydropower applications. Please let me know if you have any questions. Thank you!

Carmen Tague

Anderson Engineering & Surveying, Inc.
PO Box 28, Lakeview, OR 97630
(541) 947-4407



KOHANEK Craig

From: Ted Wise <ted.g.wise@state.or.us>
Sent: Friday, July 25, 2014 2:50 PM
To: STINE Chris; GRAINEY Mary S; DORAN Nancy E
Cc: REECE Ann L; LARKINS Autumn N; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Hi all,

I met this morning in Bend with Jake Polvi, a representative of Roaring Springs Ranch. Jake is handling the details of the Ranch's two proposed small hydro-developments and had thought that by going over the details of the project via site photos and aerial photos a site visit might not be necessary. While the photos were helpful, and it appears that ODFW's resource concerns might be fairly minor, I still think a site visit would be beneficial prior to providing feedback on the proposed projects. In discussing a time that works in his schedule and works for ODFW staff, Tuesday, August 12 seemed to be the best fit. With this in mind, Jake and I agreed on a meeting time of 10:30 am on August 12 for those interested in attending an on-site meeting to go over the specifics of the two projects. I apologize if this doesn't fit into some individuals schedules, but it's the best I could do given the time allotted for comments and other considerations.

Jake asked me to give him a heads up as to who will be attending, so if those of you who plan on participating would please let me know I'd appreciate it.

- Ted

Ted Wise
High Desert Region Hydropower Program Leader
Oregon Department of Fish and Wildlife
61374 Parrell Road
Bend, Oregon 97702
541-633-1115

From: GRAINEY Mary S [mailto:mary.s.grainey@state.or.us]
Sent: Wednesday, July 23, 2014 4:17 PM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary



From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Craig
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 2:20 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Tuesday, July 22, 2014 1:56 PM
To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]
Sent: Tuesday, July 22, 2014 9:39 AM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Tuesday, July 22, 2014 8:20 AM
To: DORAN Nancy E; WISE Ted G
Cc: GRAINEY Mary S
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]

Sent: Monday, July 21, 2014 5:26 PM

To: Ken Homolka; Nancy E Doran

Cc: GRAINEY Mary S

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]

Sent: Monday, July 21, 2014 3:35 PM

To: Ken Homolka

Cc: GRAINEY Mary S; Ted Wise

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]

Sent: Monday, July 21, 2014 1:45 PM

To: nancy.e.doran@state.or.us; Ted Wise

Cc: GRAINEY Mary S

Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.

Ken

From: Doug Young [mailto:doug_young@fws.gov]

Sent: Monday, July 21, 2014 12:11 PM

To: ken homolka

Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken -- has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug



KOHANEK Craig

From: STINE Chris <chris.stine@state.or.us>
Sent: Wednesday, July 23, 2014 4:53 PM
To: FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; STINE Chris; BANKS David T; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Keep me posted on suggested dates, Ted. My availability is thin for the next few weeks but I may consider this once I've read through the applications.

From: Ted Wise [mailto:ted.g.wise@state.or.us]
Sent: Wednesday, July 23, 2014 4:47 PM
To: FONSECA Marilyn; GRAINEY Mary S; DORAN Nancy E
Cc: REECE Ann L; STINE Chris; BANKS David T; JOHNSON JR; HOMOLKA Ken; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Mary,

Thanks for the material. I placed a call to Stacy Davis (applicant) asking him to get back to me so we can discuss his availability for a site visit. As soon as I hear back from him with a few potential days he might be available to meet with folks I check in. I would like to get a look at the site and then perhaps we can convene a call if folks think it would be helpful.

- Ted

From: GRAINEY Mary S [mailto:mary.s.grainey@state.or.us]
Sent: Wednesday, July 23, 2014 4:17 PM
To: STINE Chris; JOHNSON JR; HOMOLKA Ken; FONSECA Marilyn; DORAN Nancy E; WISE Ted G
Cc: REECE Ann L; KOHANEK Ron C
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, attached are two minor hydroelectric applications from the Roaring Springs Ranch in Catlow Valley, Harney County.

By this email, I am asking our watermaster, JR if she would be available for a site visit at about the time that ODFW staff would be heading that way.

We could arrange a conference call, if folks would like to chat about this.

Both projects would use spring water that cascades down the steep cliff and flows into ponds for irrigation purposes. Pre-1909 water rights for irrigation, but the new application would be for year-round use as the water is stored in the reservoirs.

Please let me know if you have any questions. -- Mary

From: GRAINEY Mary S
Sent: Tuesday, July 22, 2014 2:46 PM
To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G



Cc: REECE Ann L; KOHANEK Craig

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Folks, I had to research this a bit this morning. The Project on Three Mile Spring is from water right certificate 23501 in Township 35 South Range 32 East Sections 25 to 36. The Creek ends at Three Mile Reservoir in Section 36.

The second project is several miles north on Roaring Springs Creek from water right certificate 23498 along the juncture of Townships 33 and 34 South Ranges 31 and 32 East. See Section 31, Section 33 South, Range 32 East.

I just now received the water right applications from the mail. --- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]

Sent: Tuesday, July 22, 2014 2:20 PM

To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

If there are two docket numbers I suspect they are looking at two projects. You could get clarification during the site visit

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]

Sent: Tuesday, July 22, 2014 1:56 PM

To: HOMOLKA Ken; GRAINEY Mary S; DORAN Nancy E; WISE Ted G

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Does anyone have any clarification on whether this is two separate projects? There are two docket numbers and two different project descriptions, but all the filing dates are the same.

From: GRAINEY Mary S [<mailto:mary.s.grainey@state.or.us>]

Sent: Tuesday, July 22, 2014 9:39 AM

To: HOMOLKA Ken; DORAN Nancy E; WISE Ted G

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Ken, we were aware that these folks intend to file (or refile) with FERC, but not aware that they had refiled. So thanks for the heads up and we will see that they follow up on the water right application. -- Mary

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]

Sent: Tuesday, July 22, 2014 8:20 AM

To: DORAN Nancy E; WISE Ted G

Cc: GRAINEY Mary S

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

Unless we find something to contradict FERC's determination, it's not necessary for us to intervene. I know we usually file a notice of intervention for preliminary permits and REA's, but for these FERC determinations of jurisdiction we haven't, unless we disagree with FERC's decision. There have only been a few so far, and we haven't disagreed yet.
Ken

From: Ted Wise [<mailto:ted.g.wise@state.or.us>]

Sent: Monday, July 21, 2014 5:26 PM

To: Ken Homolka; Nancy E Doran

Cc: GRAINEY Mary S

Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR



Ken,

Nancy and I will get 30 day intervention for each project filed .. 30 day intervention timeframe ends August 5. I spoke with David Banks, the new district fisheries biologist in Hines and we'll be scheduling a time with Stacie Davies to make a project site visit. We can then submit any follow-up comments before the end of the 45 day (August 20) time period provided for contesting whether the facility meets the qualifying criteria ends.

- Ted

From: Nancy E Doran [<mailto:nancy.e.doran@state.or.us>]
Sent: Monday, July 21, 2014 3:35 PM
To: Ken Homolka
Cc: GRAINEY Mary S; Ted Wise
Subject: RE: Roaring Springs hydroproject proposal - Harney County, OR

I looked it up on FERC and it looks like two separate projects on the same property. There are two docket numbers, CD14-22-000 and CD14-21-000. Plus, the facility description is different for both. Let me know if you want me to file anything or do anything else.

Nancy

From: Ken Homolka [<mailto:ken.homolka@state.or.us>]
Sent: Monday, July 21, 2014 1:45 PM
To: nancy.e.doran@state.or.us; Ted Wise
Cc: GRAINEY Mary S
Subject: FW: Roaring Springs hydroproject proposal - Harney County, OR

FYI-- I don't recall hearing of this proposal before now.
Ken

From: Doug Young [mailto:doug_young@fws.gov]
Sent: Monday, July 21, 2014 12:11 PM
To: ken homolka
Subject: Roaring Springs hydroproject proposal - Harney County, OR

Ken -- has ODFW seen the attached Roaring Springs Ranch hydropower NOI letter and FERC determination of qualification? Thanks, Doug



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

NE 611

Application to Develop a Minor Hydroelectric Project

(Less than 100 theoretical horsepower)

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, please insert "n/a". Please read and refer to the instructions guide when completing your application. A summary of review criteria and procedures that are applicable to minor hydroelectric projects is available at www.wrd.state.or.us Thank you.

RECEIVED BY OWRD

1. APPLICANT INFORMATION

JUL 22 2014

SALEM, OR

Applicants: Stacy Davies
First Last

Organization: Roaring Springs Ranch Inc.
First Last

Mailing Address: 31437 31434 Highway 205, Frenchglen, OR 97736
City State Zip

Phone: 541-589-1896 cell 495-2263
Home Work Other

*Fax: 541-495-2266 E-mail address: stacyd@countrynaturalbeef.com

*Optional Information

roaringsprings ranch @ gmail.com

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water? This includes diversion location and place of use; roads; rights-of-way; and canals or ditches.

☒ Yes (Skip to section 3 "Water Use")

☐ No Please check the appropriate box below.

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access. **Note: A water right cannot be issued without written authorization or easement provided to the Department.**

List the names and mailing addresses of all affected landowners.

N/A

Attach a separate sheet if needed.

3. WATER USE

A. Proposed Source and Amount of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so. If the source will be a reservoir, list reservoir name and/or permit number:

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (CFS) or gallons per minute (GPM). If the proposed use is from storage, provide the amount in acre-feet (AF):

(1 cubic foot per second = 448.8 gallons per minute 1 acre-foot = 43,560 cubic feet)

Source	Tributary to	Amount (AF, CFS, GPM)
Roaring Springs	Catlow Valley	6 CFS

RECEIVED BY OWRD

B. Period of Use

Indicate the time of year when you propose to use water:

All year

JUL 22 2014

SALEM, OR

C. Power Development

The project will utilize 123 (number of feet) of gross head to develop 84 (number) theoretical horsepower (THP).

THP is calculated by multiplying the quantity of water to be diverted in cubic feet per second by the vertical head in feet and dividing the product by 8.8. The head is the difference in elevation between the intake of the pipeline and the return discharge to the stream.

D. Location

The point of diversion is located within the NE 1/4 of the NW 1/4 of Section 5, Township 34S, Range 32E, W.M.,

The power plant is located within the NW 1/4 of the NW 1/4 of Section 5, Township 34S, Range 32E, W.M., in Harney County.

After passing through the power plant, the water utilized will be returned to

unnamed (stream) in the NW 1/4 of the NW 1/4 of Section 5, Township 34S, Range 32E, W.M.

E. Project Facilities

(IF APPLICABLE) The diversion dam will have a height of N/A feet, a crest width of N/A feet, an upstream slope of N/A feet horizontal to one foot vertical, and a downstream slope of N/A feet horizontal to one foot vertical.

Describe the type of dam and the material with which it will be constructed:

N/A

(IF APPLICABLE) The storage reservoir will be located on
N/A (body of water), tributary to N/A (body of water)
in Section N/A, Township N/A, Range N/A, W.M.
When full the reservoir will have a surface area of N/A acres and a total storage
volume of N/A acre-feet.

(IF APPLICABLE) The canal will have a length of N/A feet, a slope of N/A feet
horizontal /feet vertical, a base width of N/A feet, and a top width of N/A feet.

(IF APPLICABLE) The pipeline will have a length of 900 feet, a diameter of 10
inches, and the difference in elevation between the intake and discharge will be 123
feet. The type of pipe used is Schedule 40 PVC

Describe the type of water wheel and generator that will be used: Dual nozzle Pelton turbine with
600 RPM induction generator provided by Canyon Hydro.

4. WATER MANAGEMENT

A. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right
and you are not wasting water?

☐ Weir ☒ Meter ☐ Periodic Sampling

Have you planned for a minimum bypass flow?

☒ Describe

Yes, the by pass valve will be capable of 100% of the flow.

5. RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state requires, careful
control of activities that may affect the waterway or streamside area. Please indicate any
of the practices you plan to undertake to protect water resources.

☐ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions:

No, fish screening is not required as there are no fish present in the springs.

RECEIVED BY OWRD

JUL 22 2014

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: Perforated pipe and drain rocked trenches will absorb the springs allowing minimal ground disturbance on the small area at which the springs are surfacing.

☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe: _____

There is no aquatic life at the springs location.

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: The site will contain erosion control structures to keep soil and ground conditions stable during construction. These erosion structures will consist of straw waddles and silt fences below the construction area.

6. FINANCES AND SCHEDULE

The estimated cost of the project is \$ 220,000.

The proposed use or market for the power to be developed is: The ranch will utilize the power to operate their facilities at the headquarters and net meter the remainder to Harney County Electric.

The time schedule for completing the project after a water right is issued is one year.

The estimated life of this project is 50 years. Upon a decision to terminate project operations, the project must be decommissioned under applicable Oregon laws. Upon project termination, the proposed method of removal is to eliminate any environmental or health and safety concerns. The penstock will be capped and abandoned to eliminate ground disturbance while the mechanical and electrical equipment will be recycled and/or disposed of properly.

RECEIVED BY OWRD

JUL 22 2014

7. NEIGHBORS

The following individuals own property within 300 feet of the proposed powerhouse:
(include names, physical addresses, and mailing addresses)

There are no properties within 300 feet of the proposed powerhouse not owned by

Roaring Springs Ranch Inc.

8. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Referencing the water use question, this water is already used under certificate

number 23498 for irrigation, domestic, and stock use. The amount of water used year round is significantly lower in the winter months for these existing uses.

This water right will grant the ranch to produce hydro power year round as the springs continue to flow year round.

9. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter-quarter section of the proposed diversion location and powerhouse. See the map guidelines sheet for detailed map specifications.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

10. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided.
- I cannot legally use water until the Water Resources Department issues a water right to me.
- If I get a water right, I must not waste water.
- If development of the water use is not according to the terms of the water right, the water right can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a water right to me, I may have to stop using water to allow senior water right holders, instream water rights or minimum bypass flows to get water they are entitled to, and

I affirm that all information provided in this application is true and correct to the best of my knowledge.

Stacy L Davis, manager, R.S.R. Inc 7/7/14
Signature of applicant Date

Signature of applicant Date

11. EXHIBITS

The following Exhibits must be included as a part of this application:

- Exhibit A** Narrative Statement describing the proposed project from the point(s) of diversion to the water return area.
- Exhibit B** Project Map (See Guide for Minor Hydroelectric Applications)
- Exhibit C** Tax Assessors map showing all property lines within 300 feet of the proposed powerhouse.
- Exhibit D** Attach land use form. Land use form must be signed by the local planning official, certifying that the use and structures associated with this project are allowed. The land use form is available from the OWRD Salem office or OWRD web site, <http://www1.wrd.state.or.us/pdfs/landuseform.pdf>

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Exhibit A

The following proposed hydropower project will begin at Roaring Springs where perforated pipe and clean graveled trenches develop a pipe network that drain into a spring box. The spring box will be constructed of a precast 48" by 60" concrete structure that will act as the spring water manifold and capture as much of the spring water as possible. The pipe network will consist of four inch and six inch perforated pipe laid within a four foot deep, three foot wide trench with 3" drain rock.

This spring box will sit at an approximate ground elevation of 4,711 feet, giving the pipe an invert elevation (IE) of approximately 4,707 feet. The four inch and six inch perforated pipe will drain into the spring box while the outlet will be a ten inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,000 feet in length and dropping 123 feet in elevation to the hydropower plant at approximately 4,584 feet in elevation.

At the power plant, the spring water will go through the power generation system to create electric power and then discharge in to an unnamed pond that the ranch uses for their irrigation and stock use. The water right certificate for these existing uses is under water right certificate number 23498.

RECEIVED BY OWRD

JUL 22 2014

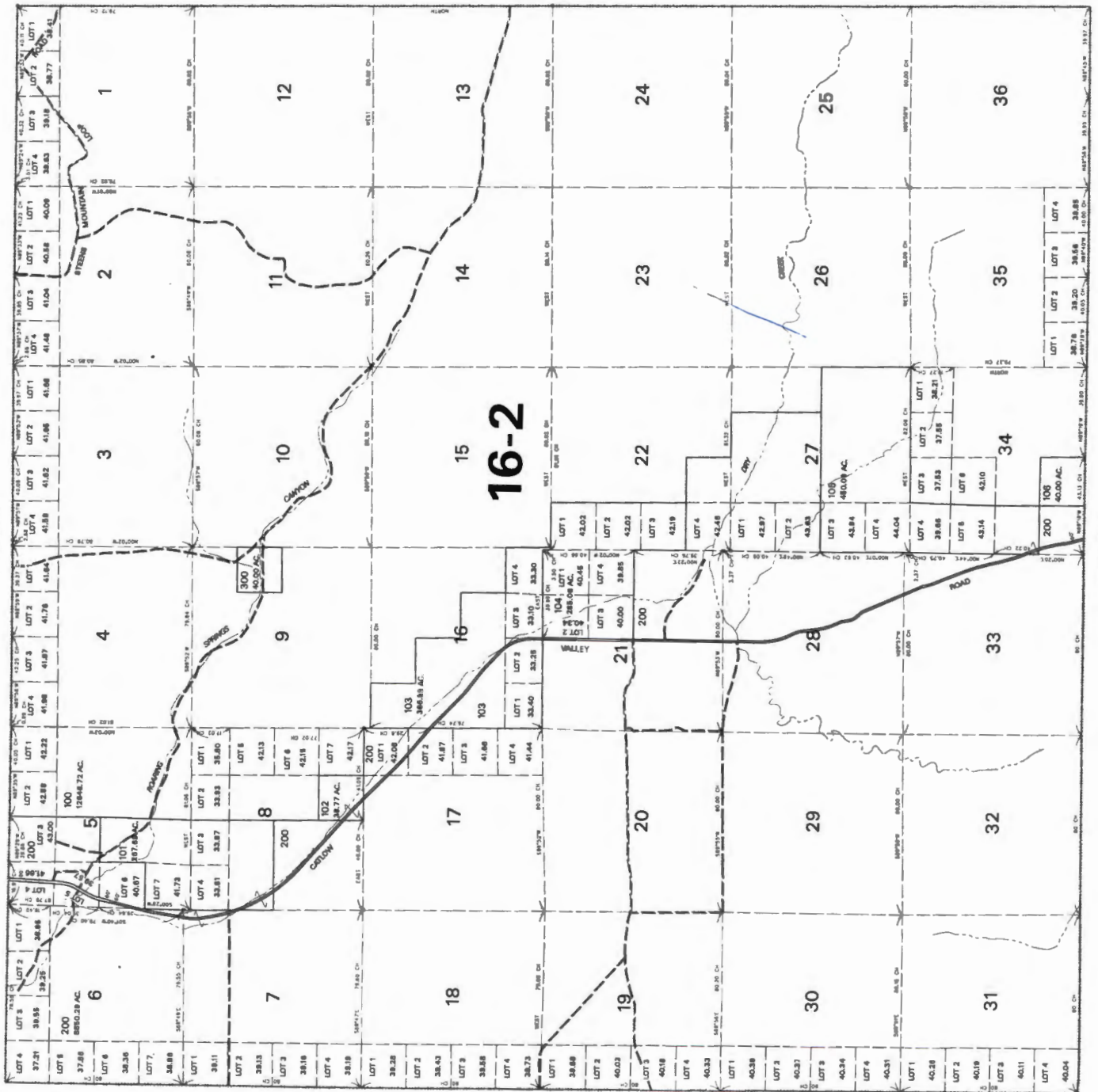
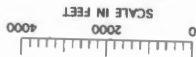
SALEM, OR

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T.34S. R.32E. W.M.
HARNEY COUNTY

1"=2000'

SEE MAP 33 32



SEE MAP 34 31

SEE MAP 34 32V

SEE MAP 35 32

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

REVISED: RT
09/17/02

34 32

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Roaring Springs Ranch Inc.

First

Last

Mailing Address: 31434 Highway 205, Frenchglen, OR 97736

Frenchglen

City

OR

State

97736

Zip

Daytime Phone: 541-589-1896

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
34S	32E	5	NE NW	200	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County,

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Roaring Springs

Estimated quantity of water needed: 6 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Hydro Power Production

Briefly describe:

The proposed plan is to capture the springs water for year round hydro power production before the water is used for the ranch's irrigation, domestic, and stock use on water right certificate number 23498.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Brandon McMullen Title: Planning Director

Signature: [Signature] Phone: (511) 573-6655 Date: 7/22/2014

Government Entity: Harney County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

NARRATIVE STATEMENT:

Provide a detailed written description of each component of the proposed Project from the point(s) of diversion to the water return area. The reader should be able to draw a basic picture of the Project based on the Narrative Statement. Such features include points of diversion, dams and appurtenant works and structures, storage, diverting or forebay reservoirs connected therewith, conduits or pipes, powerhouses, water wheels, and primary lines transmitting power to the point of junction with a distributing system, or with any interconnected primary system, miscellaneous works and structures used in connection with the Project or any part thereof, rights of way, lands, flowage rights and all other properties, rights and structures necessary or appropriate in the use, operation and maintenance of the Project.

Before you submit your application be sure you have:

- Answered each question completely.
 - Attached a legible map which includes township, range, section and quarter-quarter section.
 - Attached an assessor's map showing tax lots within 300 feet of powerhouse.
 - Included a Land Use Information Form or receipt stub signed by a local official from a city or county planning office.
 - Included a check payable to the Water Resources Department for \$500. (If a water right is approved, an additional \$500 is required before the right can be issued.)
-

S:\groups\wr\Hydro\Hydro Desk Manual\K. Applications for New Minor Hydro Water Rights\Minor hydroelectric application.wpd

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application to Develop a Minor Hydroelectric Project

(Less than 100 theoretical horsepower)

*Jake Blvi - consultant - main contact
jake@polvi.net 541.410.3050*

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, please insert "n/a". Please read and refer to the instructions guide when completing your application. A summary of review criteria and procedures that are applicable to minor hydroelectric projects is available at www.wrd.state.or.us Thank you.

RECEIVED BY OWRD

1. APPLICANT INFORMATION

JUL 22 2014

Applicants: Stacy Davies (Farm manager)
First Last

SALEM, OR

Organization: Roaring Springs Ranch Inc.
First Last

Mailing Address: 31437 Highway 205, Frenchglen, OR 97736
City State Zip

Phone: 541-589-1896 cell 495-2263 office
Home Work Other

*Fax: 541-495-2266 E-mail address: stacyd@countrynaturalbeef.com

roaringspringsranch@gmail.com

*Optional Information

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water? This includes diversion location and place of use; roads; rights-of-way; and canals or ditches.

☒ Yes (Skip to section 3 "Water Use")

☐ No Please check the appropriate box below.

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access. **Note: A water right cannot be issued without written authorization or easement provided to the Department.**

List the names and mailing addresses of all affected landowners.

N/A

Attach a separate sheet if needed.

3. WATER USE

A. Proposed Source and Amount of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so. If the source will be a reservoir, list reservoir name and/or permit number:

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (CFS) or gallons per minute (GPM). If the proposed use is from storage, provide the amount in acre-feet (AF):

(1 cubic foot per second = 448.8 gallons per minute 1 acre-foot = 43,560 cubic feet)

Source	Tributary to	Amount (AF, CFS, GPM)
Roaring Springs	Catlow Valley	6 CFS

RECEIVED BY OWRD

B. Period of Use

Indicate the time of year when you propose to use water:

All year

JUL 22 2014

SALEM, OR

C. Power Development

The project will utilize 123 (number of feet) of gross head to develop 84 (number) theoretical horsepower (THP).

THP is calculated by multiplying the quantity of water to be diverted in cubic feet per second by the vertical head in feet and dividing the product by 8.8). The head is the difference in elevation between the intake of the pipeline and the return discharge to the stream.

D. Location

The point of diversion is located within the NE 1/4 of the NW 1/4 of Section 5, Township 34S, Range 32E, W.M.,

The power plant is located within the NW 1/4 of the NW 1/4 of Section 5, Township 34S, Range 32E, W.M., in Harney County.

After passing through the power plant, the water utilized will be returned to

unnamed (stream) in the NW 1/4 of the NW 1/4 of Section 5, Township 34S, Range 32E, W.M.

E. Project Facilities

(IF APPLICABLE) The diversion dam will have a height of N/A feet, a crest width of N/A feet, an upstream slope of N/A feet horizontal to one foot vertical, and a downstream slope of N/A feet horizontal to one foot vertical.

Describe the type of dam and the material with which it will be constructed:

N/A

(IF APPLICABLE) The storage reservoir will be located on
N/A (body of water), tributary to N/A (body of water)
in Section N/A, Township N/A, Range N/A, W.M.
When full the reservoir will have a surface area of N/A acres and a total storage
volume of N/A acre-feet.

(IF APPLICABLE) The canal will have a length of N/A feet, a slope of N/A feet
horizontal /feet vertical, a base width of N/A feet, and a top width of N/A feet.

(IF APPLICABLE) The pipeline will have a length of 900 feet, a diameter of 10
inches, and the difference in elevation between the intake and discharge will be 123
feet. The type of pipe used is Schedule 40 PVC

Describe the type of water wheel and generator that will be used: Dual nozzle Pelton turbine with
600 RPM induction generator provided by Canyon Hydro.

4. WATER MANAGEMENT

A. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right
and you are not wasting water?

☐ Weir ☒ Meter ☐ Periodic Sampling

Have you planned for a minimum bypass flow?

☒ Describe

Yes, the by pass valve will be capable of 100% of the flow.

5. RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state requires, careful
control of activities that may affect the waterway or streamside area. Please indicate any
of the practices you plan to undertake to protect water resources.

☐ Diversion will be screened to prevent uptake of fish and other aquatic life.

Describe planned actions:

No, fish screening is not required as there are no fish present in the springs.

RECEIVED BY OWRD

JUL 22 2014

☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: Perforated pipe and drain rocked trenches will absorb the springs allowing minimal ground disturbance on the small area at which the springs are surfacing.

☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.

Describe: _____
There is no aquatic life at the springs location.

☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: The site will contain erosion control structures to keep soil and ground conditions stable during construction. These erosion structures will consist of straw waddles and silt fences below the construction area.

6. FINANCES AND SCHEDULE

The estimated cost of the project is \$ 220,000.

The proposed use or market for the power to be developed is: The ranch will utilize the power to operate their facilities at the headquarters and net meter the remainder to Harney County Electric.

The time schedule for completing the project after a water right is issued is one year.

The estimated life of this project is 50 years. Upon a decision to terminate project operations, the project must be decommissioned under applicable Oregon laws. Upon project termination, the proposed method of removal is to eliminate any environmental or health and safety concerns. The penstock will be capped and abandoned to eliminate ground disturbance while the mechanical and electrical equipment will be recycled and/or disposed of properly.

RECEIVED BY OWRD

JUL 22 2014

7. NEIGHBORS

The following individuals own property within 300 feet of the proposed powerhouse:
(include names, physical addresses, and mailing addresses)

There are no properties within 300 feet of the proposed powerhouse not owned by
Roaring Springs Ranch Inc.

8. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Referencing the water use question, this water is already used under certificate number 23498 for irrigation, domestic, and stock use. The amount of water used year round is significantly lower in the winter months for these existing uses.

This water right will grant the ranch to produce hydro power year round as the springs continue to flow year round.

9. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter-quarter section of the proposed diversion location and powerhouse. See the map guidelines sheet for detailed map specifications.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

10. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided.
- I cannot legally use water until the Water Resources Department issues a water right to me.
- If I get a water right, I must not waste water.
- If development of the water use is not according to the terms of the water right, the water right can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a water right to me, I may have to stop using water to allow senior water right holders, instream water rights or minimum bypass flows to get water they are entitled to, and

I affirm that all information provided in this application is true and correct to the best of my knowledge.

Stacy L. Davis, manager, R.S.R. Inc 7/7/14
Signature of applicant Date

Signature of applicant Date

11. EXHIBITS

The following Exhibits must be included as a part of this application:

Exhibit A Narrative Statement describing the proposed project from the point(s) of diversion to the water return area.

Exhibit B Project Map (See Guide for Minor Hydroelectric Applications)

Exhibit C Tax Assessors map showing all property lines within 300 feet of the proposed powerhouse.

Exhibit D Attach land use form. Land use form must be signed by the local planning official, certifying that the use and structures associated with this project are allowed. The land use form is available from the OWRD Salem office or OWRD web site, <http://www1.wrd.state.or.us/pdfs/landuseform.pdf>

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Exhibit A

The following proposed hydropower project will begin at Roaring Springs where perforated pipe and clean graveled trenches develop a pipe network that drain into a spring box. The spring box will be constructed of a precast 48" by 60" concrete structure that will act as the spring water manifold and capture as much of the spring water as possible. The pipe network will consist of four inch and six inch perforated pipe laid within a four foot deep, three foot wide trench with 3" drain rock.

This spring box will sit at an approximate ground elevation of 4,711 feet, giving the pipe an invert elevation (IE) of approximately 4,707 feet. The four inch and six inch perforated pipe will drain into the spring box while the outlet will be a ten inch poly-vinyl chloride (PVC) pipe. This pipe will be approximately 1,000 feet in length and dropping 123 feet in elevation to the hydropower plant at approximately 4,584 feet in elevation.

At the power plant, the spring water will go through the power generation system to create electric power and then discharge in to an unnamed pond that the ranch uses for their irrigation and stock use. The water right certificate for these existing uses is under water right certificate number 23498.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

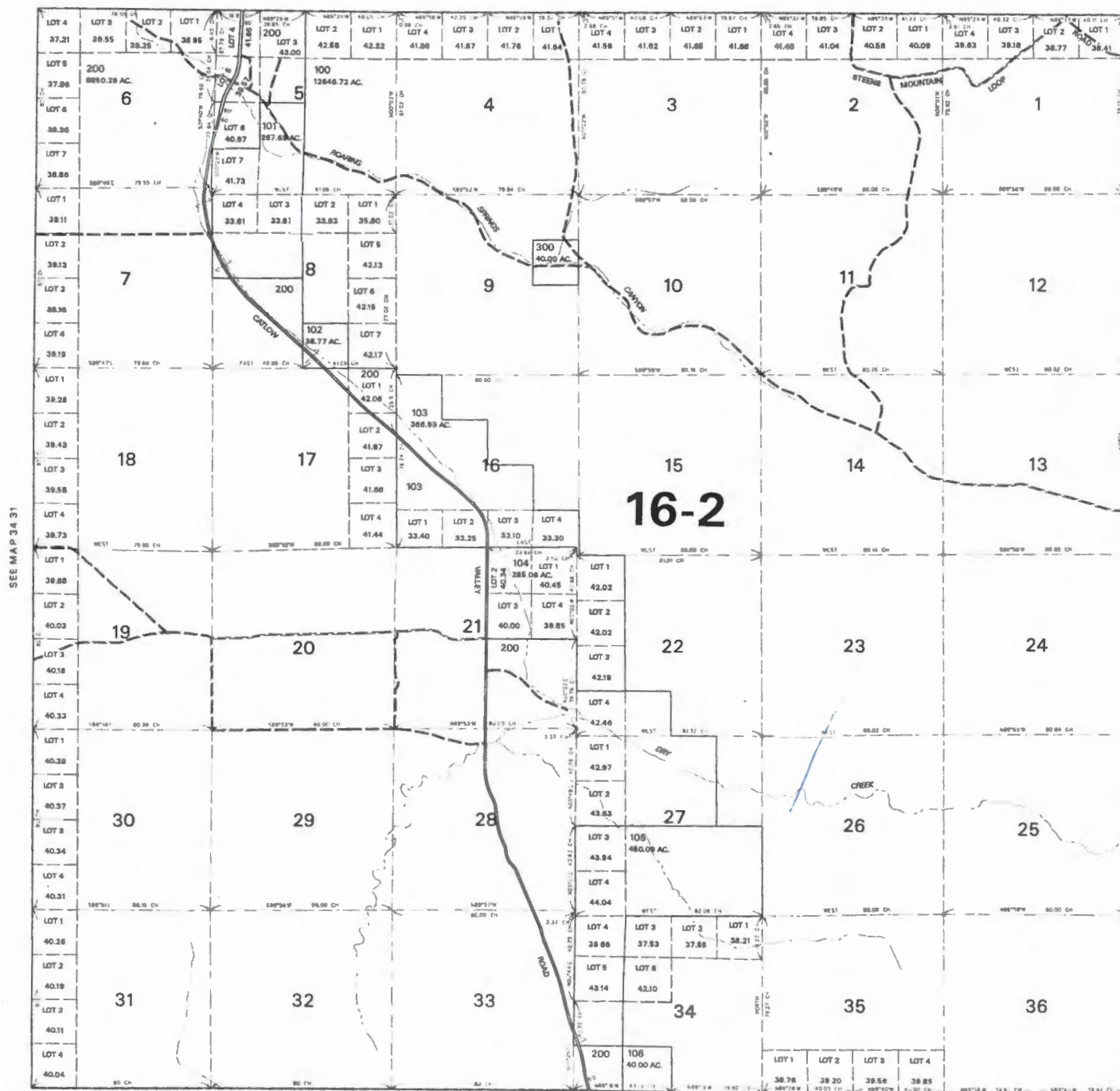
T.34S. R.32E. W.M.
HARNEY COUNTY

1"=2000'

SEE MAP 33 32

34 32

0 2000 4000
SCALE IN FEET



SEE MAP 35 32

REVISED: RT
09/17/02

34 32

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is **NOT** required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Roaring Springs Ranch Inc.

First

Last

Mailing Address: 31434 Highway 205, Frenchglen, OR 97736

Frenchglen

City

OR

State

97736

Zip

Daytime Phone: 541-589-1896

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
34S	32E	5	NE NW	200	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County,

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Roaring Springs

Estimated quantity of water needed: 6 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Hydro Power Production

Briefly describe:

The proposed plan is to capture the springs water for year round hydro power production before the water is used for the ranch's irrigation, domestic, and stock use on water right certificate number 23498.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Brandon McMullen Title: Planning Director
 Signature: [Signature] Phone: (541) 573-6655 Date: 7/22/2014
 Government Entity: Harney County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

NARRATIVE STATEMENT:

Provide a detailed written description of each component of the proposed Project from the point(s) of diversion to the water return area. The reader should be able to draw a basic picture of the Project based on the Narrative Statement. Such features include points of diversion, dams and appurtenant works and structures, storage, diverting or forebay reservoirs connected therewith, conduits or pipes, powerhouses, water wheels, and primary lines transmitting power to the point of junction with a distributing system, or with any interconnected primary system, miscellaneous works and structures used in connection with the Project or any part thereof, rights of way, lands, flowage rights and all other properties, rights and structures necessary or appropriate in the use, operation and maintenance of the Project.

Before you submit your application be sure you have:

- Answered each question completely.
 - Attached a legible map which includes township, range, section and quarter-quarter section.
 - Attached an assessor's map showing tax lots within 300 feet of powerhouse.
 - Included a Land Use Information Form or receipt stub signed by a local official from a city or county planning office.
 - Included a check payable to the Water Resources Department for \$500. (If a water right is approved, an additional \$500 is required before the right can be issued.)
-

S:\groups\wr\Hydro\Hydro Desk Manual\K. Applications for New Minor Hydro Water Rights\Minor hydroelectric application.wpd

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

RECEIVED BY OWRD

JUL 22 2014

SALEM, OR

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED BY OWRD

Applicant: Roaring Springs Ranch Inc.

JUL 22 2014

Mailing Address: 31437 ^{First} 31434 Highway 205, Frenchglen, OR 97736

SALEM, OR

Frenchglen

City

OR

State

97736

Zip

Daytime Phone: 541-589-1896

541-495-2263

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
34S	32E	5	NE NW	200	EFRU-1	☒ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County,

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Roaring Springs

Estimated quantity of water needed: 6 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other Hydro Power Production

Briefly describe:

The proposed plan is to capture the springs water for year round hydro power production before the water is used for the ranch's irrigation, domestic, and stock use on water right certificate number 23498.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

JUL 22 2014

SALEM, OR

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That EASTERN OREGON LIVE STOCK CO.

of Crane, State of Oregon, has a right to the use of the waters of Roaring Springs Creek for the purpose of Irrigation, domestic and stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Harney County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 450, that the priority of the right thereby confirmed dates from 1882 for Tract 1; 1883 for Tract 2; 1886 for Tract 3; 1887 for Tract 4; 1888 for Tract 5; 1891 for Tract 6; 1892 for Tract 7; 1898 for Tract 8; 1909 for Tract 9;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one-eightieth of one cubic foot per second for each acre irrigated, with a total diversion of not to exceed three acre-feet per acre for each acre irrigated during any irrigation season, from April 1, to October 1, of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract 1

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 36

T. 33 S., R. 31 E. W.M.

40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 1

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 12

T. 34 S., R. 31 E. W.M.

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 6

Tract 1 (Con't)

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 7

T. 34 S., R. 32 E. W.M.

Tract 2

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 1

T. 34 S., R. 31 E. W.M.

Tract 3

36.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$

40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 7

31.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 8

15.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 18

T. 34 S., R. 32 E. W.M.

Tract 4

40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 1

40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$

Tract 4 (Cont.)

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
22.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
28.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12

32.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
4.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
14.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
19.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13

27.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
24.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
30.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
24.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24

T. 34 S., R. 31 E. W.M.

40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 7

6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
2.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 18

T. 34 S., R. 32 E. W.M.

Tract 5

28.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
38.9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 31

T. 33 S., R. 32 E. W.M.

40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 1

T. 34 S., R. 31 E. W.M.

Tract 6

40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 35

T. 33 S., R. 31 E. W.M.

40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 31

T. 33 S., R. 32 E. W.M.

Tract 6 (Cont.)

40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 11

29.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
1.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 11

40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
26.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 12

T. 34 S., R. 31 E. W.M.

Tract 7

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
39.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
24.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 2

T. 34 S., R. 31 E. W.M.

Tract 8

28.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 31

T. 33 S., R. 32 E. W.M.

7.9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
39.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
7.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 5

T. 34 S., R. 32 E. W.M.

Tract 9

29.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 5

T. 34 S., R. 32 E. W.M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 20th day of November, 19 57

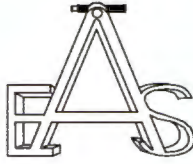
State Engineer

ANDERSON

ENGINEERING & SURVEYING, INC.



PO Box 28
17681 Hwy 395
Lakeview, Oregon 97630
541-947-4407
541-947-2321 FAX



TRANSMITTAL LETTER

RECEIVED BY OWRD

JUL 22 2014

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301

DATE: 6/25/2014

JOB NO: 2013-111

ATTENTION:

RE: Applications for Minor Hydroelectric
Project - Roaring Springs Ranch

WE ARE SENDING YOU ATTACHED:

☐ PRINTS ☐ PLANS

☐ OTHER _____

COPIES	DATE	DESCRIPTION
1		Application for a Minor Hydroelectric Project - Headquarters Site
1		Application for a Minor Hydroelectric Project - 3 Mile Site
1		Fee Check

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ FOR APPROVAL ☐ FOR REVIEW AND COMMENT

☐ AS REQUESTED ☐ FOR SIGNATURE

☐ OTHER _____

REMARKS

Please contact us if you have any questions.

Thank you!

COPY TO

SIGNED Barb Thompson

If enclosures are not as noted, please notify us at once

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Docket No. CD14-22-000 – Oregon
Roaring Springs Headquarters
Hydropower Project
Roaring Springs Ranch

Mr. Darryl Anderson
Anderson Engineering & Surveying, Inc.
17681 Highway 395
Lakeview, OR 97630

August 26, 2014

Subject: Determination that the Roaring Springs Headquarters Hydropower Project Meets the Qualifying Conduit Hydropower Facility Criteria

Dear Mr. Anderson:

On June 23, 2014, you filed a notice of intent, on behalf of the Roaring Springs Ranch, pursuant to section 30(a) of the Federal Power Act (FPA), 16 U.S.C. § 823a (2012), as amended by Section 4 of the Hydropower Regulatory Efficiency Act of 2013, Pub. L. 113-23, § 4a, 127 Stat. 493 (2013), to construct a qualifying conduit hydropower facility, the Roaring Springs Headquarters Hydropower Project, to be located in Harney County, Oregon.

On July 7, 2014, Commission staff issued a public notice that preliminarily determined that the project met the statutory criteria for a qualifying conduit hydropower facility, and thus was not required to be licensed under Part I of the FPA. The notice established a 45-day period for entities to contest whether the project met the criteria. No comments were filed in response to the notice. Accordingly, this letter constitutes a written determination that the Roaring Springs Headquarters Hydropower Project meets the qualifying criteria under FPA section 30(a), and is not required to be licensed under Part I of the FPA.

If you have any questions, please contact Mr. Christopher Chaney at (202) 502-6778 or christopher.chaney@ferc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Houff". The signature is fluid and cursive, with the first name "Kelly" and last name "Houff" clearly distinguishable.

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance

HEC11

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Roaring Springs Ranch

Docket No. CD14-22-000

HEAD QTR.

NOTICE OF PRELIMINARY DETERMINATION OF
A QUALIFYING CONDUIT HYDROPOWER FACILITY AND SOLICITING
COMMENTS AND MOTIONS TO INTERVENE

(July 7, 2014)

On June 23, 2014, Roaring Springs Ranch filed a notice of intent to construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA). The Roaring Springs Headquarters Hydropower Project would utilize a newly constructed agricultural water distribution system at the Roaring Springs Ranch in Harney County, Oregon.

Applicant Contact: Darryl Anderson, Anderson Engineering & Surveying, Inc., 17681 Highway 395, Lakeview, OR 97630, Phone No. (541) 947-4407.

FERC Contact: Christopher Chaney, Phone No. (202) 502-6778, email: christopher.chaney@ferc.gov.

Qualifying Conduit Hydropower Facility Description: The proposed project would consist of: (1) a new 14-foot-wide by 17-foot-long powerhouse; (2) one proposed 37-kilowatt turbine/generating unit; and (3) appurtenant facilities.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all of the criteria shown in the table below.

Table 1: Criteria for Qualifying Conduit Hydropower Facility

<i>Statutory Provision</i>	<i>Description</i>	<i>Satisfies (Y/N)</i>
FPA 30(a)(3)(A), as amended by HREA	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i), as amended by HREA	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii), as amended by HREA	The facility has an installed capacity that does not exceed 5 megawatts.	Y
FPA 30(a)(3)(C)(iii), as amended by HREA	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

Preliminary Determination: Based upon the above criteria, Commission staff preliminarily determines that the proposal satisfies the requirements for a qualifying conduit hydropower facility not required to be licensed or exempted from licensing.

Comments and Motions to Intervene: Deadline for filing comments contesting whether the facility meets the qualifying criteria is **45 days** from the issuance date of this notice.

Deadline for filing motions to intervene is **30 days** from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

Filing and Service of Responsive Documents: All filings must (1) bear in all capital letters the "COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY" or "MOTION TO INTERVENE," as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission's regulations.¹ All comments contesting

¹ 18 CFR 385.2001–2005 (2013).

Commission staff's preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Locations of Notice of Intent: Copies of the notice of intent can be obtained directly from the applicant or such copies can be viewed and reproduced at the Commission in its Public Reference Room, Room 2A, 888 First Street NE, Washington, DC 20426. The filing may also be viewed on the web at <http://www.ferc.gov/docs-filing/elibrary.asp> using the "eLibrary" link. Enter the docket number (e.g., CD14-22) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659.

Kimberly D. Bose,
Secretary.

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION
NOTICE OF INTENT TO CONSTRUCT QUALIFYING CONDUIT HYDROPOWER
FACILITY

INTRODUCTORY STATEMENT

Stacy Davies - Roaring Springs Ranch applies to the Federal Energy Regulatory Commission for a determination that the **Roaring Springs Headquarters Hydropower** is a Qualifying Conduit Hydropower Facility, meeting the requirements of section 30(a) of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA).

The location of the facility is:

State or Territory: **State of Oregon**
County: **Harney County**
Township or nearby town: **Township 34 South**
Water source: **Roaring Springs**

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: **Stacy Davies - Roaring Springs Ranch**
Address: **31434 Highway 205**
Frenchglen, Oregon 97736
Telephone Number: **541-589-1896**
Email Address: **stacyd@countrynaturalbeef.com**

The exact name and business address of each person authorized to act as agent for the applicant(s) in this notice of intent is:

Name of Agent: **Anderson Engineering & Surveying, Inc.**
Address: **17681 Highway 395**
Lakeview, Oregon 97630
Telephone Number: **541-947-4407**
Email Address: **darryla@andersonengineering.com**

NON-FEDERAL CONDUIT

The **Roaring Springs Headquarters Hydropower** will not use the hydroelectric potential of a federally owned conduit. *[According to section 30(a)(3)(C)(i) of the FPA, as amended by HREA, a qualifying conduit hydropower facility may not use the hydroelectric potential of a federally owned conduit.]*

ORIGINAL PROJECT

The Roaring Springs Headquarters Hydropower has not been licensed or exempted from the licensing requirements of Part I of the FPA, prior to the enactment of the Hydropower Regulatory Efficiency Act on August 9, 2013.

Project Information

You must provide a detailed description of the proposed hydropower project and a detailed description of the conduit it will use, including the purpose of the existing conduit. The following information must be included:

- (1) A detailed description of any conduits and associated consumptive water supply facilities, intake facilities, powerhouses, and any other structures associated with the facility.

[Including, but not limited to: (1) the name of the conduit(s) or consumptive water supply facilities; (2) where the conduit(s) or consumptive water supply facilities begin (including the town, river, or reservoir); (3) the length and width or diameter (if enclosed) of the conduit; (4) the dimensions of the proposed hydroelectric structure and any other facilities needed for hydropower operation (i.e. intake pipes, powerhouse, turbine generating units, discharge pipes); and (5) how, where, and into what the water will discharge from the proposed power structure. If your project discharges into a natural water body, please explain how the hydroelectric project does not alter the primary purpose of the conduit.]

Roaring Springs Ranch is proposing to improve the existing irrigation system located at the Ranch Headquarters, within their private ranch, to enhance the supply and conveyance of the water to their irrigation canal and agricultural stock ponds. The source of the irrigation water comes from a series of springs and is conveyed through open irrigation ditches. These irrigation ditches distribute water to approximately 4,428.8 acres of land for irrigation associated with water right Certificate Number 23498.

The proposed improvement will replace the open ditches with pipe to eliminate evaporation, evapotranspiration, and seepage losses. A small scale hydropower turbine will be installed to reduce pressure head and generate power. The system will be piped with a 10" PVC to the irrigation/stock canal to efficiently transport the needed irrigation water. However, just prior to the discharge, the water will flow into a 14' x 17' power house built with traditional wood framing and supply a 37kW power generator. The improved system will capture approximately 6.0 cubic feet per second (CFS) of water through 1,000 feet of PVC penstock before reaching the power house and through another 40 feet of PVC discharge pipe into the irrigation/stock canal. This system is designed to maximize water efficiency for the ranch's agricultural needs.

(2) The purposes for which the conduit is used:

[Section 30(a)(3)(C)(i) of the FPA, as amended by HREA, requires a qualifying conduit hydropower facility to use the hydroelectric potential of a non-federally owned conduit. Such a conduit means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and is not primarily for the generation of electricity. Specify the use of your conduit, such as irrigation, water supply, or industrial uses. The primary purpose of the conduit cannot be for power production.]

The existing system discharges into an open ditch and pond network that distributes the water to multiple ditches. The water is used for irrigation and livestock purposes for approximately 4,428.8 acres of irrigated land. This new proposed development plan will make the water supply for the irrigation/livestock use more efficient and have better control of the water being utilized for the agricultural needs.

(3) The number, type, capacity, and estimated average annual generation of the generating units you are proposing, including plans, if any, for future units:

[The installed generating capacity cannot exceed 5 MW.]

The proposed plan includes one dual nozzle Pelton turbine with 600 rpm induction generator with a capability of 37kw of power with no plans for future units. This system will produce enough power to operate most of the ranch headquarter facilities with their daily procedures.

(4) Your project must use the hydroelectric potential conduit to generate power; however, if your project is associated with any dam or impoundment, please provide a description of the nature and extent of the dam or impoundment, including a statement of the normal maximum surface area and normal maximum surface elevation of any existing impoundment before and after the hydroelectric facilities are installed. If your project involves a dam or impoundment, you must provide a profile drawing showing the hydropower potential is created by the conduit and not the dam. You must also provide evidence that the dam or impoundment would be constructed or continue to exist for agricultural, municipal, or industrial consumptive purposes even if the hydroelectric generating facilities were not installed:

There is no dam or impoundment associated with this project.

Existing Preliminary Permit or Permit Application Pending

If you have a preliminary permit for the facility or have applied for a preliminary permit, please provide the permit number below.

P-_____

Drawings, Maps, Diagrams

Include a set of drawings/maps/diagrams clearly showing the structures and equipment of the hydroelectric facility in relation to the existing conduit. Project drawings of the project must include:

- *A Plan View (overhead view) drawing of the proposed hydropower facilities. The drawing must include the following:*
 - *The hydroelectric facilities, including all intake and discharge pipes, and how those pipes connect to the conduit*
 - *The portion of the conduit in proximity to the facilities on which the hydroelectric facilities will be located*
 - *Identification of facilities as either existing or proposed*
- *A Location Map showing the facilities and their relationship to the nearest town. The map must include the following:*
 - *The powerhouse location labeled along with its latitude and longitude*
 - *The nearest town, if possible, or other permanent monuments or objects, such as roads or other structures, that can be easily noted on the map and identified in the field*

VERIFICATION

You must provide Verification in one of the following forms:

Either a sworn, notarized statement, which states:

1. As to any facts alleged in the application or other materials filed, be subscribed and verified under oath in the form set forth below by the person filing, an officer thereof, or other person having knowledge of the matters sent forth. If the subscription and verification is by anyone other than the person filing or an officer thereof, it shall include a statement of the reasons therefor.

This (application, etc.) is executed in the:

State of: _____

County of: _____

by: (Name) _____
(Address) _____

being duly sworn, depose(s) and say(s) that the contents of this (application, etc.) are true to the best of (his or her) knowledge or belief. The undersigned applicant(s) has (have) signed the (application, etc.) this _____ day of _____, 20____.

By: _____

Subscribed and sworn to before me, a _____ [Notary Public, or title of other official authorized by the state to notarize documents, as appropriate] of the State of _____ this day of _____, 20____.

/SEAL/ [if any]

(Notary Public, or other authorized official)

Or an unsworn declaration in the following form:

2. "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on 6/19/14 [date]."

Stacy L. Davies for P.S.P. Inc.
(Signature)

Document Content(s)

NOI HQ Hydro.PDF.....1-5

NOI HQ Drawings.PDF.....6-13

2013-08-05-0032 FERC FDF (010110101) 8/23/2013 12:14:24 PM

42611

CD 14-22

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION
NOTICE OF INTENT TO CONSTRUCT QUALIFYING CONDUIT HYDROPOWER
FACILITY

INTRODUCTORY STATEMENT

Stacy Davies - Roaring Springs Ranch applies to the Federal Energy Regulatory Commission for a determination that the **Roaring Springs Headquarters Hydropower** is a Qualifying Conduit Hydropower Facility, meeting the requirements of section 30(a) of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA).

The location of the facility is:

State or Territory: **State of Oregon**
County: **Harney County**
Township or nearby town: **Township 34 South**
Water source: **Roaring Springs**

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: **Stacy Davies - Roaring Springs Ranch**
Address: **31434 Highway 205**
Frenchglen, Oregon 97736
Telephone Number: **541-589-1896**
Email Address: **stacyd@countrynaturalbeef.com**

The exact name and business address of each person authorized to act as agent for the applicant(s) in this notice of intent is:

Name of Agent: **Anderson Engineering & Surveying, Inc.**
Address: **17681 Highway 395**
Lakeview, Oregon 97630
Telephone Number: **541-947-4407**
Email Address: **darryla@andersonengineering.com**

NON-FEDERAL CONDUIT

The **Roaring Springs Headquarters Hydropower** will not use the hydroelectric potential of a federally owned conduit. *[According to section 30(a)(3)(C)(i) of the FPA, as amended by HREA, a qualifying conduit hydropower facility may not use the hydroelectric potential of a federally owned conduit.]*

ORIGINAL PROJECT

The Roaring Springs Headquarters Hydropower has not been licensed or exempted from the licensing requirements of Part I of the FPA, prior to the enactment of the Hydropower Regulatory Efficiency Act on August 9, 2013.

Project Information

You must provide a detailed description of the proposed hydropower project and a detailed description of the conduit it will use, including the purpose of the existing conduit. The following information must be included:

- (1) A detailed description of any conduits and associated consumptive water supply facilities, intake facilities, powerhouses, and any other structures associated with the facility.

[Including, but not limited to: (1) the name of the conduit(s) or consumptive water supply facilities; (2) where the conduit(s) or consumptive water supply facilities begin (including the town, river, or reservoir); (3) the length and width or diameter (if enclosed) of the conduit; (4) the dimensions of the proposed hydroelectric structure and any other facilities needed for hydropower operation (i.e. intake pipes, powerhouse, turbine generating units, discharge pipes); and (5) how, where, and into what the water will discharge from the proposed power structure. If your project discharges into a natural water body, please explain how the hydroelectric project does not alter the primary purpose of the conduit.]

Roaring Springs Ranch is proposing to improve the existing irrigation system located at the Ranch Headquarters, within their private ranch, to enhance the supply and conveyance of the water to their irrigation canal and agricultural stock ponds. The source of the irrigation water comes from a series of springs and is conveyed through open irrigation ditches. These irrigation ditches distribute water to approximately 4,428.8 acres of land for irrigation associated with water right Certificate Number 23498.

The proposed improvement will replace the open ditches with pipe to eliminate evaporation, evapotranspiration, and seepage losses. A small scale hydropower turbine will be installed to reduce pressure head and generate power. The system will be piped with a 10" PVC to the irrigation/stock canal to efficiently transport the needed irrigation water. However, just prior to the discharge, the water will flow into a 14' x 17' power house built with traditional wood framing and supply a 37kW power generator. The improved system will capture approximately 6.0 cubic feet per second (CFS) of water through 1,000 feet of PVC penstock before reaching the power house and through another 40 feet of PVC discharge pipe into the irrigation/stock canal. This system is designed to maximize water efficiency for the ranch's agricultural needs.

(2) The purposes for which the conduit is used:

[Section 30(a)(3)(C)(i) of the FPA, as amended by HREA, requires a qualifying conduit hydropower facility to use the hydroelectric potential of a non-federally owned conduit. Such a conduit means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and is not primarily for the generation of electricity. Specify the use of your conduit, such as irrigation, water supply, or industrial uses. The primary purpose of the conduit cannot be for power production.]

The existing system discharges into an open ditch and pond network that distributes the water to multiple ditches. The water is used for irrigation and livestock purposes for approximately 4,428.8 acres of irrigated land. This new proposed development plan will make the water supply for the irrigation/livestock use more efficient and have better control of the water being utilized for the agricultural needs.

(3) The number, type, capacity, and estimated average annual generation of the generating units you are proposing, including plans, if any, for future units:

[The installed generating capacity cannot exceed 5 MW.]

The proposed plan includes one dual nozzle Pelton turbine with 600 rpm induction generator with a capability of 37kw of power with no plans for future units. This system will produce enough power to operate most of the ranch headquarter facilities with their daily procedures.

(4) Your project must use the hydroelectric potential conduit to generate power; however, if your project is associated with any dam or impoundment, please provide a description of the nature and extent of the dam or impoundment, including a statement of the normal maximum surface area and normal maximum surface elevation of any existing impoundment before and after the hydroelectric facilities are installed. If your project involves a dam or impoundment, you must provide a profile drawing showing the hydropower potential is created by the conduit and not the dam. You must also provide evidence that the dam or impoundment would be constructed or continue to exist for agricultural, municipal, or industrial consumptive purposes even if the hydroelectric generating facilities were not installed:

There is no dam or impoundment associated with this project.

Existing Preliminary Permit or Permit Application Pending

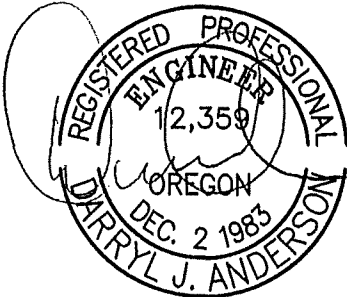
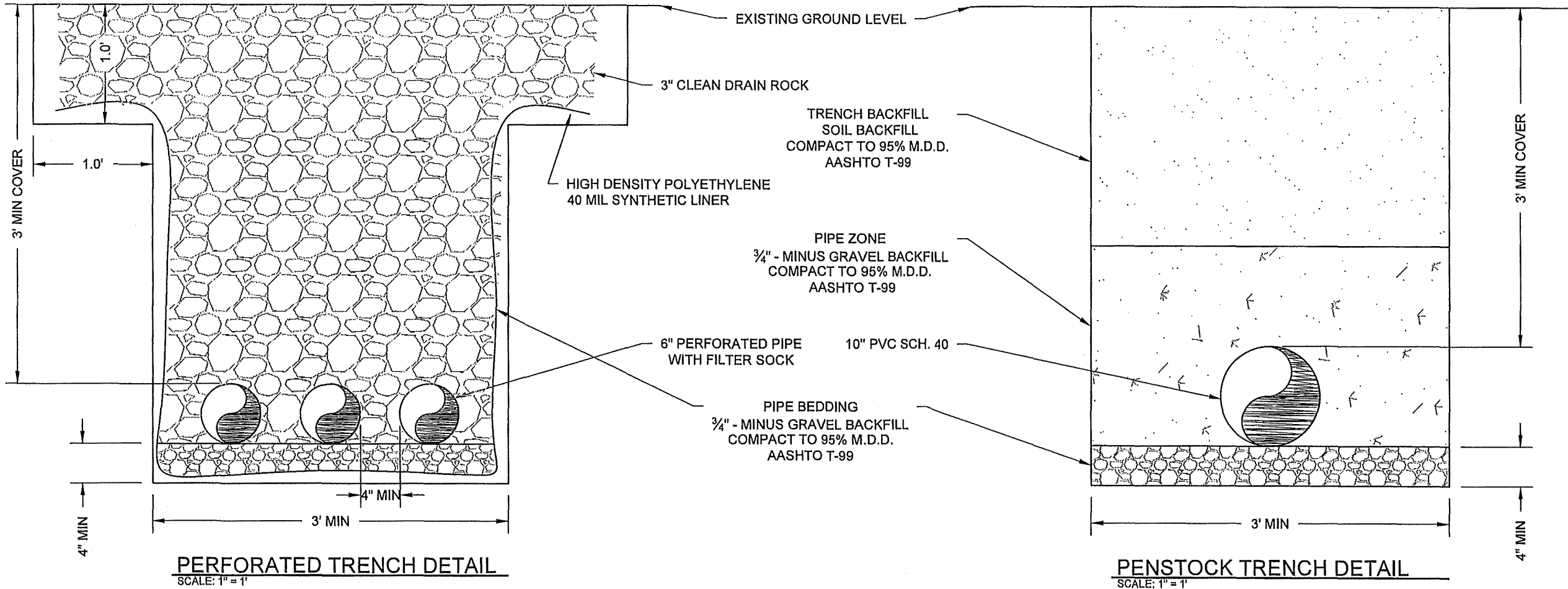
If you have a preliminary permit for the facility or have applied for a preliminary permit, please provide the permit number below.

P-_____

Drawings, Maps, Diagrams

Include a set of drawings/maps/diagrams clearly showing the structures and equipment of the hydroelectric facility in relation to the existing conduit. Project drawings of the project must include:

- *A Plan View (overhead view) drawing of the proposed hydropower facilities. The drawing must include the following:*
 - *The hydroelectric facilities, including all intake and discharge pipes, and how those pipes connect to the conduit*
 - *The portion of the conduit in proximity to the facilities on which the hydroelectric facilities will be located*
 - *Identification of facilities as either existing or proposed*
- *A Location Map showing the facilities and their relationship to the nearest town. The map must include the following:*
 - *The powerhouse location labeled along with its latitude and longitude*
 - *The nearest town, if possible, or other permanent monuments or objects, such as roads or other structures, that can be easily noted on the map and identified in the field*



EXPIRES DEC. 31, 2015

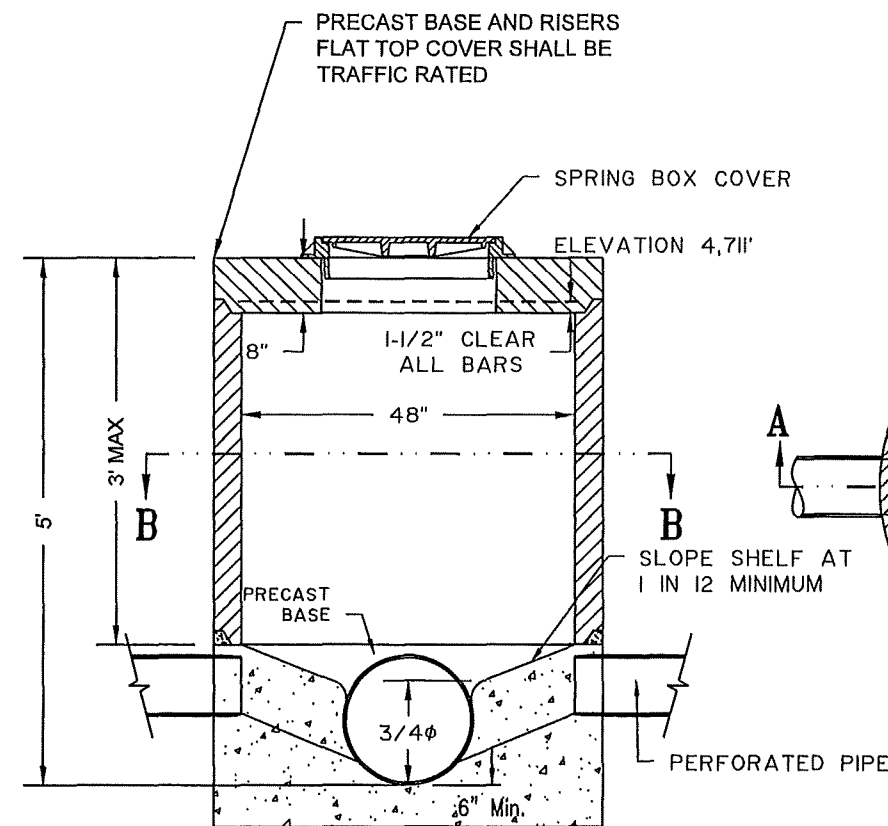
REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

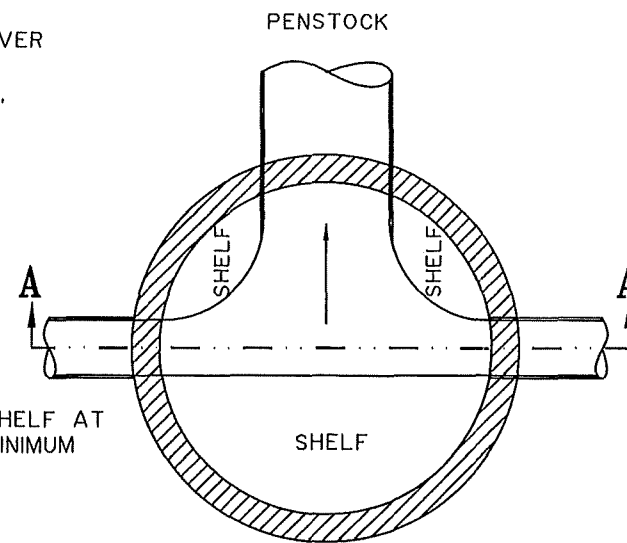
FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

**TRENCH DETAIL
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON**

DATE:	03/13/2014
SCALE:	1" = 1'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-6



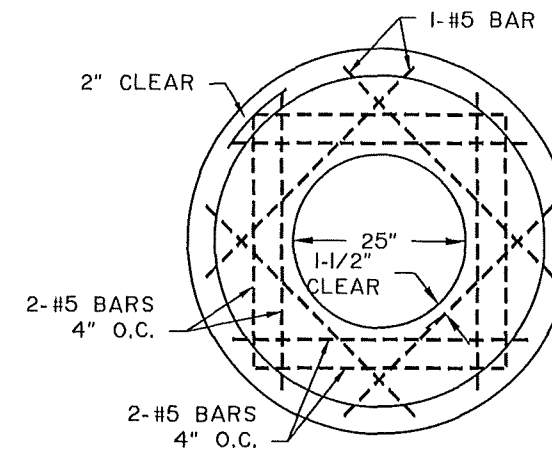
SECTION A-A



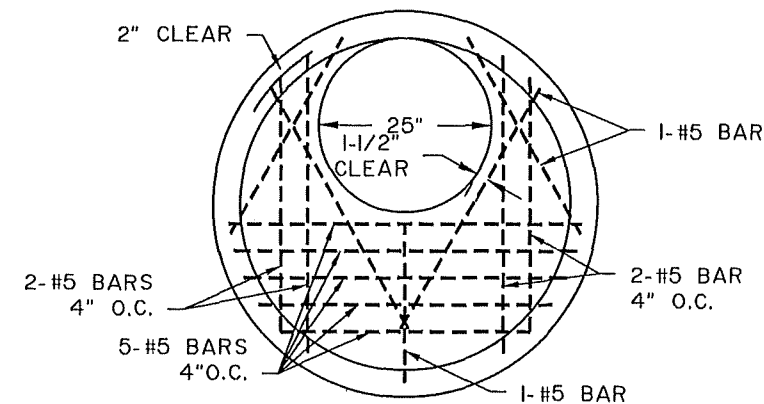
SECTION B-B

CONSTRUCTION NOTES:

SPRING BOX COUPLINGS ARE TO BE THE SAME SIZE AND MATERIAL AS THE PIPE IN THE ADJACENT TRENCH AND INSTALLED WITH WATER STOP AND STAINLESS STEEL BANDS AT THE TIME OF FABRICATION.



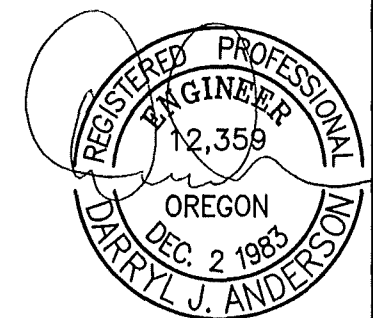
TOP SLAB



OPTIONAL TOP SLAB

(OFFSET RING & COVER)

SPRING BOX DETAIL



EXPIRES DEC. 31, 2016

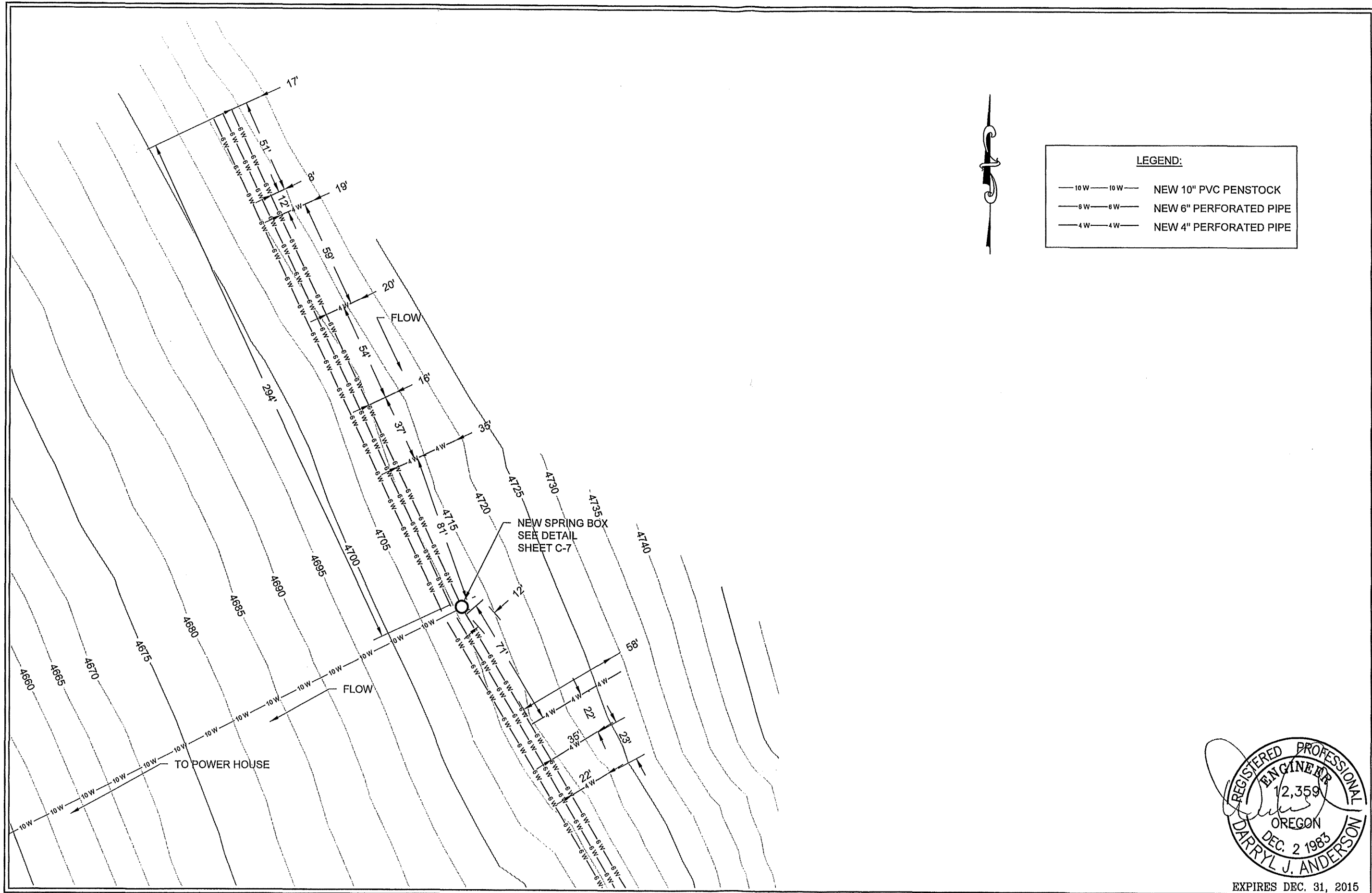
REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR: ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

**SPRING BOX DETAIL
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON**

DATE:	03/13/2014
SCALE:	NO SCALE
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-7



LEGEND:

- 10 W — 10 W — NEW 10" PVC PENSTOCK
- 6 W — 6 W — NEW 6" PERFORATED PIPE
- 4 W — 4 W — NEW 4" PERFORATED PIPE



EXPIRES DEC. 31, 2015

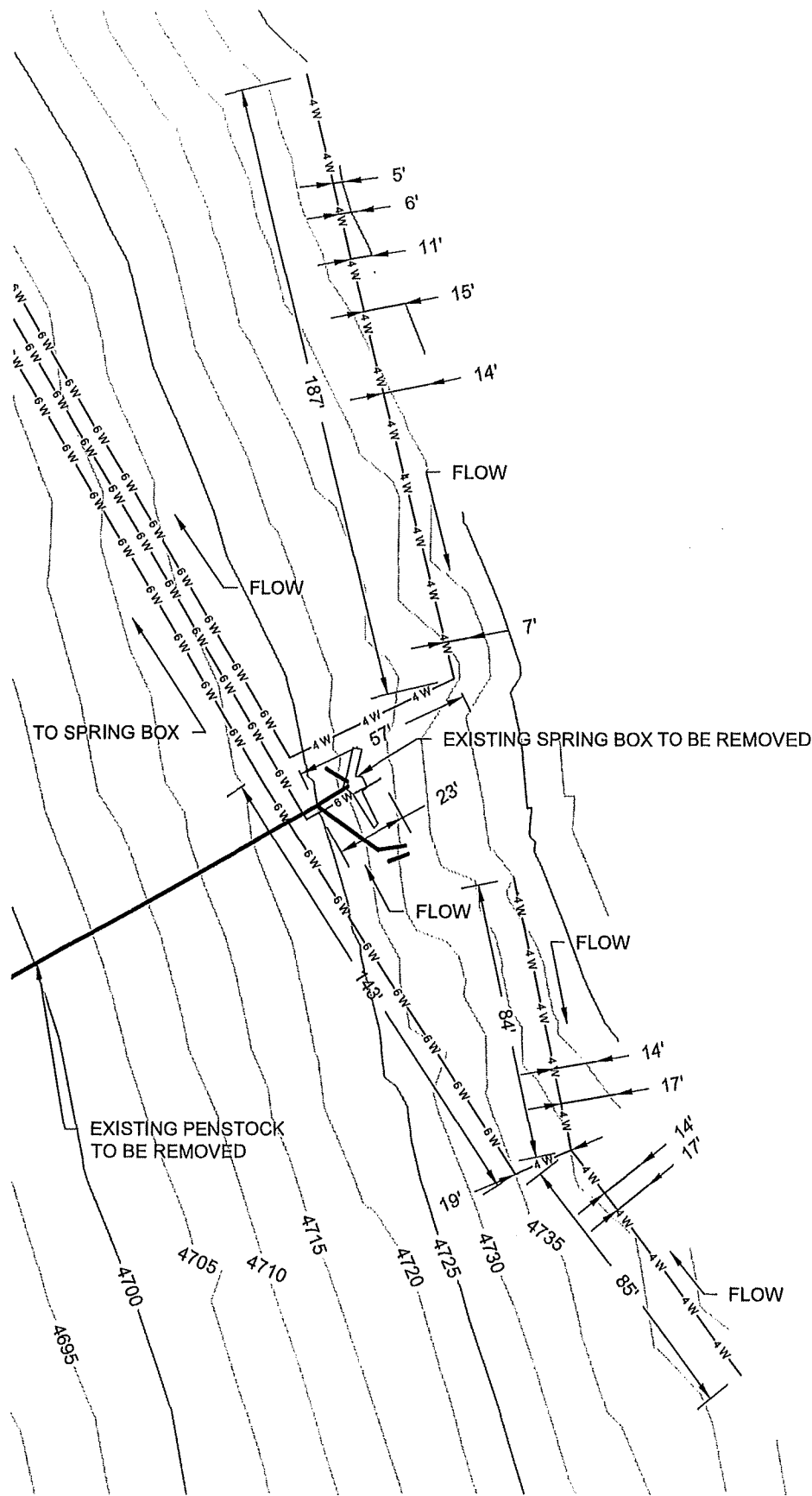
REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

**DEVELOPED SPRINGS NORTH
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON**

DATE:	03/13/2014
SCALE:	1" = 50'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-2



LEGEND:

- 10 W 10 W NEW 10" PVC PENSTOCK
- 6 W 6 W NEW 6" PERFORATED PIPE
- 4 W 4 W NEW 4" PERFORATED PIPE



EXPIRES DEC. 31, 2015

REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

**DEVELOPED SPRINGS SOUTH
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON**

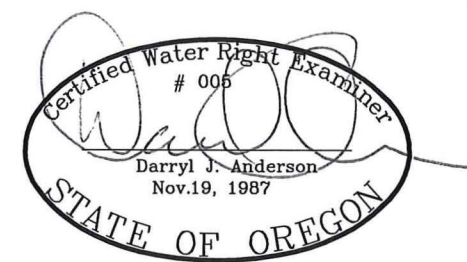
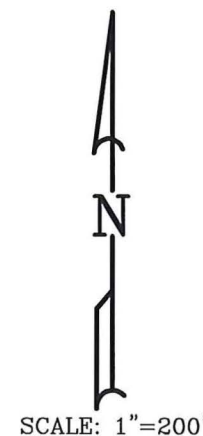
DATE:	03/13/2014
SCALE:	1" = 50'
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-3

MAP TO ACCOMPANY WATER RIGHT APPLICATION FOR ROARING SPRINGS RANCH, INC.

SECTION 5
TOWNSHIP 34 SOUTH RANGE 32 EAST
HARNEY COUNTY, OREGON

LEGEND

----- SECTION LINE
----- 1/4 SECTION LINE



RENEWAL 12/31/15

RECEIVED BY OWRD

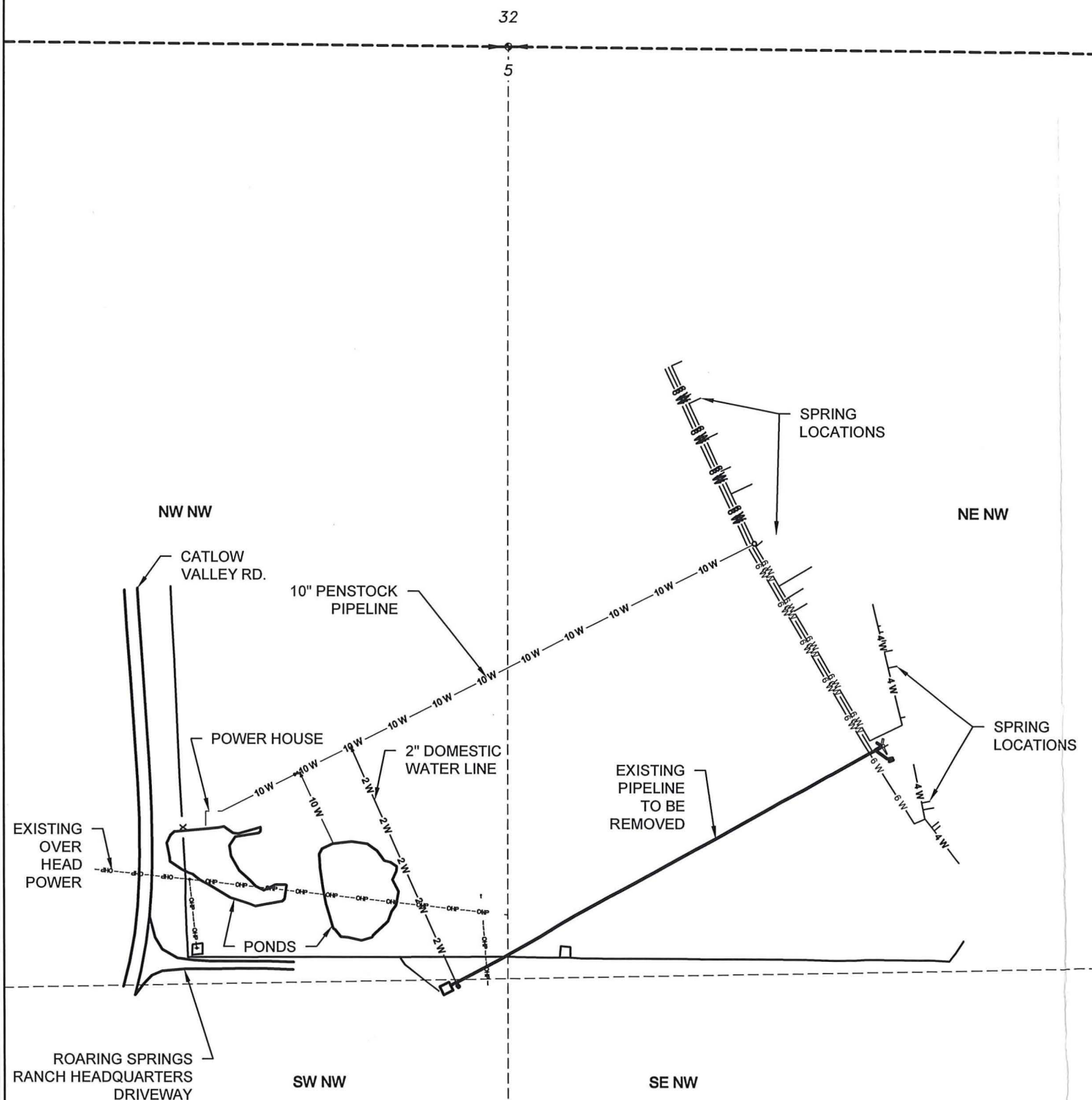
JUL 22 2014

SALEM, OR

APPLICATION NO. _____

PERMIT NO. _____

NOTE:
PREPARATION OF THIS MAP IS FOR IDENTIFYING PROPOSED
WATER RIGHTS ONLY. IT HAS NO INTENT TO PROVIDE
LOCATIONS OR DIMENSIONS OF PROPERTY BOUNDARIES.



REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**
P.O. BOX 28
LAKEVIEW, OREGON
97630
(541) 947-4407
FAX: 947-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 97736

**PROJECT MAP
HEADQUARTERS HYDRO POWER
FRENCHGLEN OREGON**

DATE: 06/19/2014
SCALE: 1" = 200'
DWG. BY: A.C.K.
JOB: 2013-111
FILE: 2013-111
SHEET: 1

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D.C. 20426

OFFICE OF ENERGY PROJECTS

Docket No. CD14-17-000 – Oregon
Roaring Springs Hydropower Project
Roaring Springs Ranch

Mr. Darryl Anderson
Anderson Engineering & Surveying, Inc.
17681 Highway 395
Lakeview, OR 97630

April 21, 2014

Subject: Rejection of Notice of Intent to Construct a Qualifying Conduit Hydropower Facility

Dear Mr. Anderson:

On April 9, 2014, you filed a Notice of Intent to Construct a Qualifying Conduit Hydropower Facility (Notice of Intent) for the proposed Roaring Springs Hydropower Project No. CD14-17-000, proposed to be located in Harney County, Oregon. Because Commission staff cannot determine from your filing whether the proposed project is a qualifying conduit hydropower facility, as defined by the Federal Power Act (FPA), your Notice of Intent is rejected, without prejudice to your refileing it along with the information Commission staff needs to make the determination.

Section 30(a) of the Federal Power Act (FPA), as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA), states that a person, State, or municipality may file a Notice of Intent requesting a Commission determination that its facility is a qualifying conduit hydropower facility and is not required to be licensed.¹ A “qualifying conduit hydropower facility” must, among other criteria, generate electric power “only from the hydroelectric potential of a non-federally owned conduit.”² For the purposes of HREA, a “conduit” is a “manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.”³

¹ 16 U.S.C. § 823a (2012), *amended by* HREA, Pub. L. 113-23, § 4(a)(2)(A), 127 Stat. 493 (2013).

² *Id.* § 4(a)(3)(C)(i).

³ *Id.* § 4(a)(3)(A).

Docket No. CD14-17-000

- 2 -

Commission staff cannot determine from your filing whether the conveyance on which the proposed generating facilities would be located is operated for agricultural, municipal, or industrial consumption. While your application states the water would be discharged into an existing drainage pond that distributes water to a canal used for irrigation purposes, it is not clear that the proposed conveyance, or the water flowing through it, would be used primarily for irrigation. If the water flowing through the conveyance were not to be consumed, the proposed project could be viewed as being operated primarily for the generation of electricity.

Please do not view this rejection as a reflection of the merits of your proposed project or as a determination of whether it meets the criteria set forth in the statute. The statute only provides the Commission with 15 days to make an initial determination, and there is not sufficient time for the Commission to prepare, and for you to respond to, a request for additional information before the 15-day period expires; therefore, Commission staff must reject the filing. You should feel free to refile your notice of intent, including the information described below. You should also feel free to consult with Commission staff to ensure that any filing contains the necessary information.

If you decide to revise and refile your Notice of Intent, please provide the information described below:

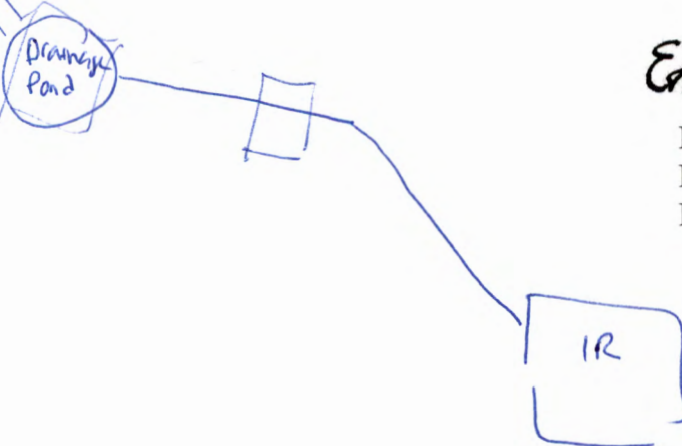
1. A detailed description of the need to construct, and primary use of, the proposed conveyance.
2. A statement of the amount of the water flowing through the conveyance that will be used for agricultural, municipal, or industrial consumption.

If you have any questions, please contact Mr. Christopher Chaney at (202) 502-6778 or christopher.chaney@ferc.gov.

Sincerely,

Edward A. Abrams

Edward A. Abrams
Director
Division of Hydropower Administration
and Compliance



Document Content(s)

CD14-17-000.PDF.....1-2

Table 1: Criteria for Qualifying Conduit Hydropower Facility

<i>Statutory Provision</i>	<i>Description</i>	<i>Satisfies (Y/N)</i>
FPA 30(a)(3)(A), as amended by HREA	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i), as amended by HREA	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii), as amended by HREA	The facility has an installed capacity that does not exceed 5 megawatts.	Y
FPA 30(a)(3)(C)(iii), as amended by HREA	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

Preliminary Determination: Based upon the above criteria, Commission staff preliminarily determines that the proposal satisfies the requirements for a qualifying conduit hydropower facility not required to be licensed or exempted from licensing.

Comments and Motions to Intervene: Deadline for filing comments contesting whether the facility meets the qualifying criteria is **45 days** from the issuance date of this notice.

Deadline for filing motions to intervene is **30 days** from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

Filing and Service of Responsive Documents: All filings must (1) bear in all capital letters the "COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY" or "MOTION TO INTERVENE," as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission's regulations.¹ All comments contesting

¹ 18 CFR 385.2001–2005 (2013).

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Roaring Springs Ranch

Docket No. CD14-22-000

NOTICE OF PRELIMINARY DETERMINATION OF
A QUALIFYING CONDUIT HYDROPOWER FACILITY AND SOLICITING
COMMENTS AND MOTIONS TO INTERVENE

(July 7, 2014)

On June 23, 2014, Roaring Springs Ranch filed a notice of intent to construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA). The Roaring Springs Headquarters Hydropower Project would utilize a newly constructed agricultural water distribution system at the Roaring Springs Ranch in Harney County, Oregon.

Applicant Contact: Darryl Anderson, Anderson Engineering & Surveying, Inc., 17681 Highway 395, Lakeview, OR 97630, Phone No. (541) 947-4407.

FERC Contact: Christopher Chaney, Phone No. (202) 502-6778, email: christopher.chaney@ferc.gov.

Qualifying Conduit Hydropower Facility Description: The proposed project would consist of: (1) a new 14-foot-wide by 17-foot-long powerhouse; (2) one proposed 37-kilowatt turbine/generating unit; and (3) appurtenant facilities.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all of the criteria shown in the table below.

Commission staff's preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Locations of Notice of Intent: Copies of the notice of intent can be obtained directly from the applicant or such copies can be viewed and reproduced at the Commission in its Public Reference Room, Room 2A, 888 First Street NE, Washington, DC 20426. The filing may also be viewed on the web at <http://www.ferc.gov/docs-filing/elibrary.asp> using the "eLibrary" link. Enter the docket number (e.g., CD14-22) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659.

Kimberly D. Bose,
Secretary.

Superseded

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION
NOTICE OF INTENT TO CONSTRUCT QUALIFYING CONDUIT HYDROPOWER
FACILITY

INTRODUCTORY STATEMENT

Stacy Davies - Roaring Springs Ranch applies to the Federal Energy Regulatory Commission for a determination that the **Three Mile Spring Hydropower** is a Qualifying Conduit Hydropower Facility, meeting the requirements of section 30(a) of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA).

The location of the facility is:

State or Territory: **State of Oregon**
County: **Harney County**
Township or nearby town: **Township 35 South**
Water source: **Springs**

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: **Stacy Davies - Roaring Springs Ranch**
Address: **31434 Highway 205**
Frenchglen, Oregon 97736
Telephone Number: **541-589-1896**
Email Address: **stacyd@countrynaturalbeef.com**

The exact name and business address of each person authorized to act as agent for the applicant(s) in this notice of intent is:

Name of Agent: **Anderson Engineering & Surveying, Inc.**
Address: **17681 Highway 395**
Lakeview, Oregon 97630
Telephone Number: **541-947-4407**
Email Address: **darryla@andersonengineering.com**

NON-FEDERAL CONDUIT

The **Three Mile Spring Hydropower** will not use the hydroelectric potential of a federally owned conduit. *[According to section 30(a)(3)(C)(i) of the FPA, as amended by HREA, a qualifying conduit hydropower facility may not use the hydroelectric potential of a federally owned conduit.]*

ORIGINAL PROJECT

The Three Mile Spring Hydropower has not been licensed or exempted from the licensing requirements of Part I of the FPA, prior to the enactment of the Hydropower Regulatory Efficiency Act on August 9, 2013.

Project Information

You must provide a detailed description of the proposed hydropower project and a detailed description of the conduit it will use, including the purpose of the existing conduit. The following information must be included:

Roaring Springs Ranch is proposing to generate power from natural springs along the hill by Three Mile Creek. The water is naturally surfacing and being used as irrigation, stock, and domestic water supply. Developing the spring will not only generate power but will keep the water clean and pure for the domestic use.

- (1) A detailed description of any conduits and associated consumptive water supply facilities, intake facilities, powerhouses, and any other structures associated with the facility.

[Including, but not limited to: (1) the name of the conduit(s) or consumptive water supply facilities; (2) where the conduit(s) or consumptive water supply facilities begin (including the town, river, or reservoir); (3) the length and width or diameter (if enclosed) of the conduit; (4) the dimensions of the proposed hydroelectric structure and any other facilities needed for hydropower operation (i.e. intake pipes, powerhouse, turbine generating units, discharge pipes); and (5) how, where, and into what the water will discharge from the proposed power structure. If your project discharges into a natural water body, please explain how the hydroelectric project does not alter the primary purpose of the conduit.]

- 10.5 KW
- 1) Three Mile Springs is the name of the consumptive water.
 - 2) Conduits will begin at the source of the springs to eliminate water loss.
 - 3) The developing conduits are four inch perforated pipe with length up to 100 feet and the main penstock conduit is six inch PVC with length at 2000 feet.
 - 4) Spring box structure that captures water from the perforated pipe and discharges into the penstock is four feet diameter precast concrete five feet tall. The power house is 12'x12' with traditional wood framing.
 - 5) The water will discharge into a six inch pipe from the power house and will then discharge into Three Mile Creek.

(2) The purposes for which the conduit is used:

[Section 30(a)(3)(C)(i) of the FPA, as amended by HREA, requires a qualifying conduit hydropower facility to use the hydroelectric potential of a non-federally owned conduit. Such a conduit means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and is not primarily for the generation of electricity. Specify the use of your conduit, such as irrigation, water supply, or industrial uses. The primary purpose of the conduit cannot be for power production.]

There is no existing conduit, the springs are surface runoff and discharges into a conduit that crosses Highway 205 into Three Mile Creek. The creek is discharged into Three Mile Reservoir which is used for irrigation and stock purposes. There is a domestic water line that is used for a ranch house which is installed near the spring's ground source, and will remain in use. The power house discharge is in the same creek eliminating the interruption with the original water use for the ranch irrigation, stock and domestic use.

(3) The number, type, capacity, and estimated average annual generation of the generating units you are proposing, including plans, if any, for future units:

[The installed generating capacity cannot exceed 5 MW.]

We are proposing one dual nozzle pelton turbine with 1800 rpm custom induction generator with a capability of 10.5kw of power with no plans for future units.

(4) Your project must use the hydroelectric potential conduit to generate power; however, if your project is associated with any dam or impoundment, please provide a description of the nature and extent of the dam or impoundment, including a statement of the normal maximum surface area and normal maximum surface elevation of any existing impoundment before and after the hydroelectric facilities are installed. If your project involves a dam or impoundment, you must provide a profile drawing showing the hydropower potential is created by the conduit and not the dam. You must also provide evidence that the dam or impoundment would be constructed or continue to exist for agricultural, municipal, or industrial consumptive purposes even if the hydroelectric generating facilities were not installed:

There is no dam or impoundment associated with this project.

Existing Preliminary Permit or Permit Application Pending

If you have a preliminary permit for the facility or have applied for a preliminary permit, please provide the permit number below.

P-

Drawings, Maps, Diagrams

Include a set of drawings/maps/diagrams clearly showing the structures and equipment of the hydroelectric facility in relation to the existing conduit. Project drawings of the project must include:

- *A Plan View (overhead view) drawing of the proposed hydropower facilities. The drawing must include the following:*
 - *The hydroelectric facilities, including all intake and discharge pipes, and how those pipes connect to the conduit*
 - *The portion of the conduit in proximity to the facilities on which the hydroelectric facilities will be located*
 - *Identification of facilities as either existing or proposed*
- *A Location Map showing the facilities and their relationship to the nearest town. The map must include the following:*
 - *The powerhouse location labeled along with its latitude and longitude*
 - *The nearest town, if possible, or other permanent monuments or objects, such as roads or other structures, that can be easily noted on the map and identified in the field*

VERIFICATION

You must provide Verification in one of the following forms:

Either a sworn, notarized statement, which states:

1. As to any facts alleged in the application or other materials filed, be subscribed and verified under oath in the form set forth below by the person filing, an officer thereof, or other person having knowledge of the matters sent forth. If the subscription and verification is by anyone other than the person filing or an officer thereof, it shall include a statement of the reasons therefor.

This (application, etc.) is executed in the:

State of: _____

County of: _____

by: (Name) _____
(Address) _____

being duly sworn, depose(s) and say(s) that the contents of this (application, etc.) are true to the best of (his or her) knowledge or belief. The undersigned applicant(s) has (have) signed the (application, etc.) this _____ day of _____, 20____.

By: _____

Subscribed and sworn to before me, a _____ [Notary Public, or title of other official authorized by the state to notarize documents, as appropriate] of the State of _____ this day of _____, 20____.

/SEAL/ [if any]

(Notary Public, or other authorized official)

Or an unsworn declaration in the following form:

2. "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on April 3, 2014 [date]."

Sting Davis / McLinger
(Signature)

ROARING SPRINGS RANCH THREE MILE HYDRO POWER PROJECT HARNEY COUNTY FRENCHGLEN, OREGON

INDEX OF DRAWINGS

COVER SHEET	SHEET C-0
SITE PLAN	SHEET C-1
SPRING NETWORK	SHEET C-2
LOWER SYSTEM PLAN	SHEET C-3
POWER HOUSE	SHEET C-4
TRENCH DETAIL	SHEET C-5
SPRING BOX DETAIL	SHEET C-6



REVISION	BY

ANDERSON ENGINEERING
AND SURVEYING, INC.
1111 N. 2ND ST.
LAVERGNE, OREGON 97630
(503) 497-4407
FAX: 503-497-2321

FOR:
ROARING SPRINGS RANCH
31434 HWY 205
FRENCHGLEN, OR 9775
641-009-1000

COVER SHEET
THREE MILE HYDRO POWER
FRENCHGLEN OREGON

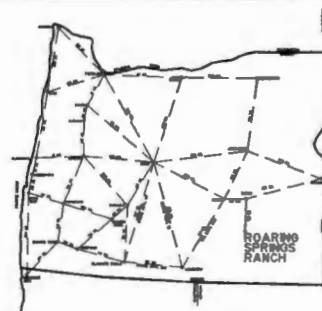
DATE: 03/13/2014
SCALE: NO SCALE
DWN. BY: A.C.K.
JOB: 2013-111
FILE: 2013-111
SHEET: C-0

GENERAL NOTES

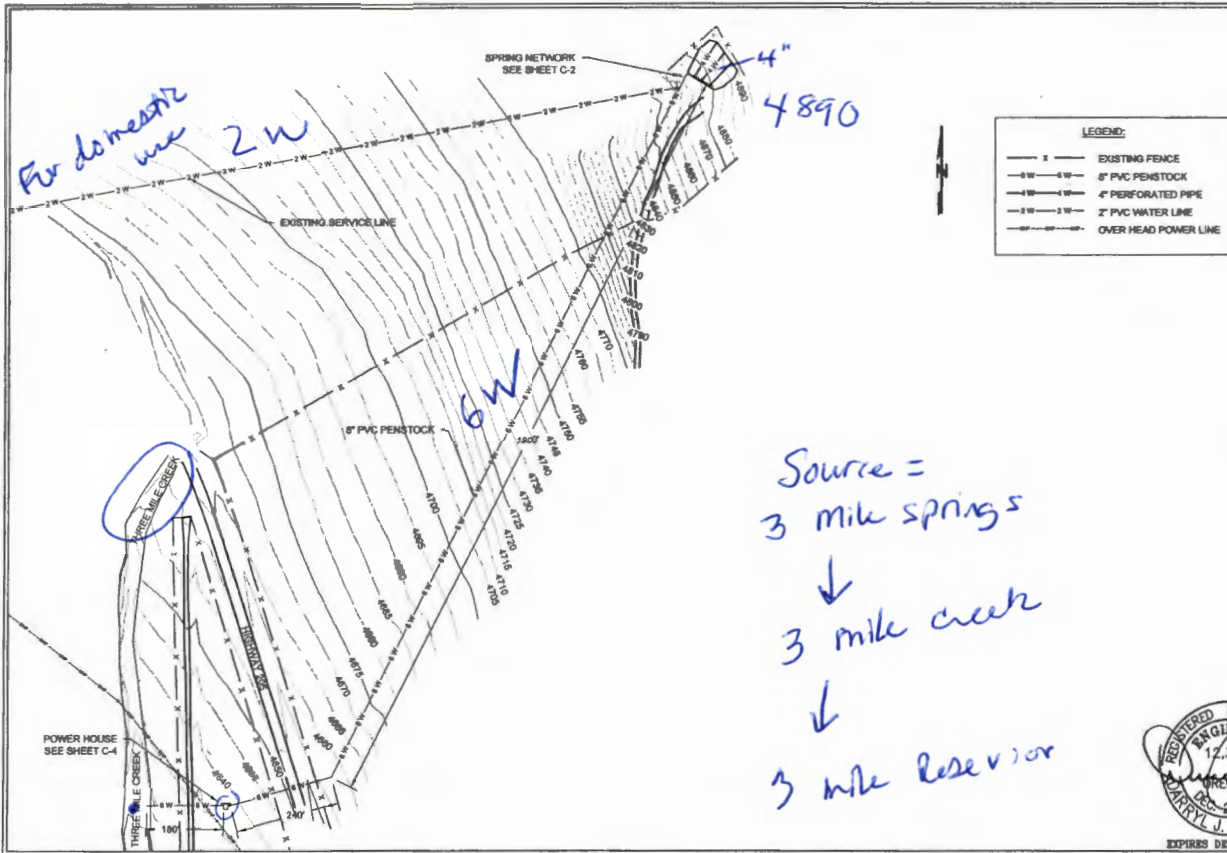
- 1.) TRENCH BACKFILL SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND THE SPECIFICATIONS. ALL MATERIAL SHALL BE APPROVED BY ENGINEER PRIOR TO INSTALLATION.
- 2.) CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI @ 28 DAYS. STEEL REINFORCING ANCHORS SHALL BE NO. 4 GRADE 40 DEFORMED BAR CONFORMING TO ASTM-A18.



VICINITY MAP
NO SCALE



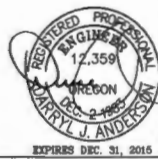
AREA MAP
NO SCALE

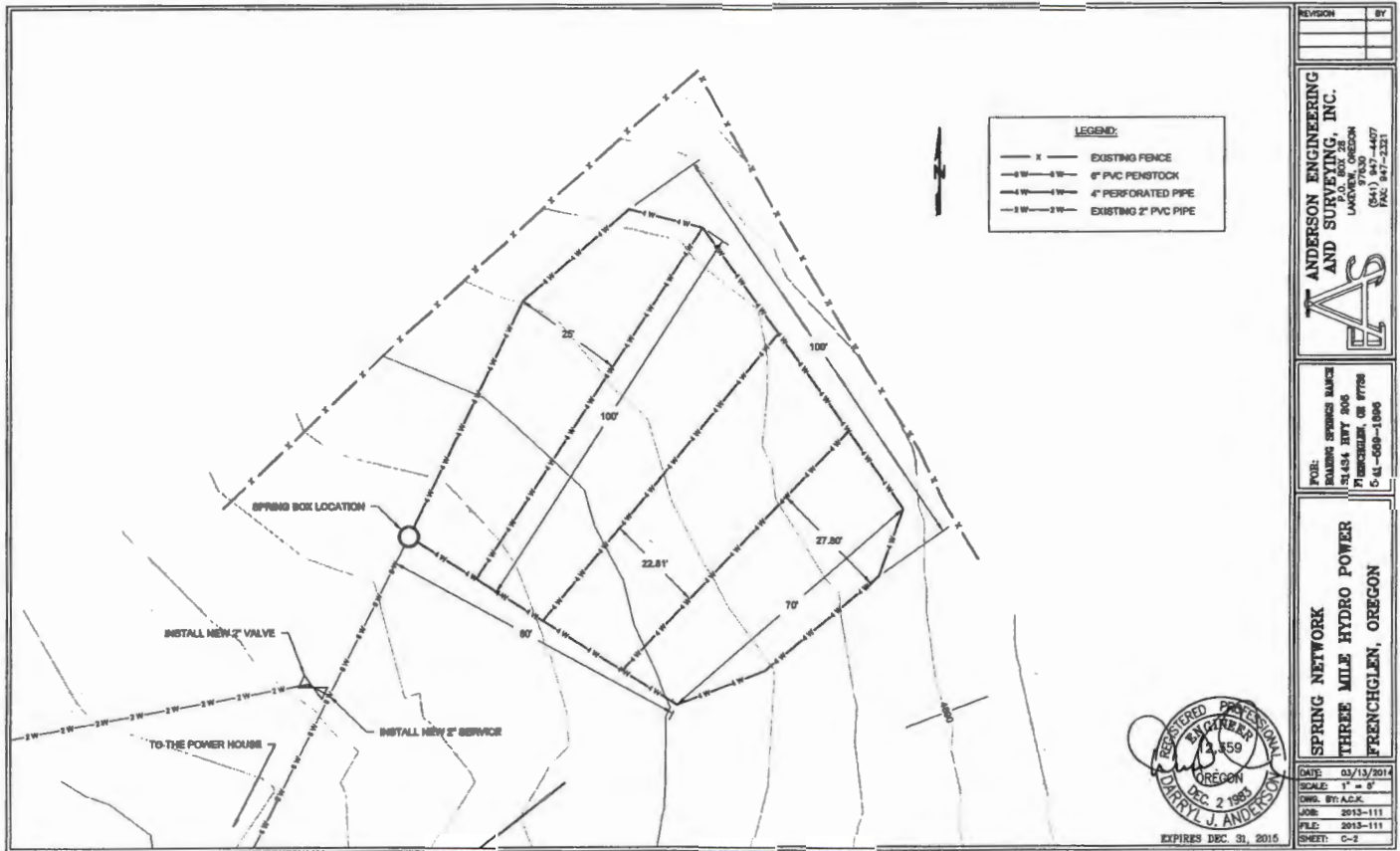


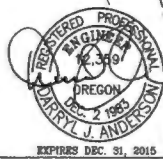
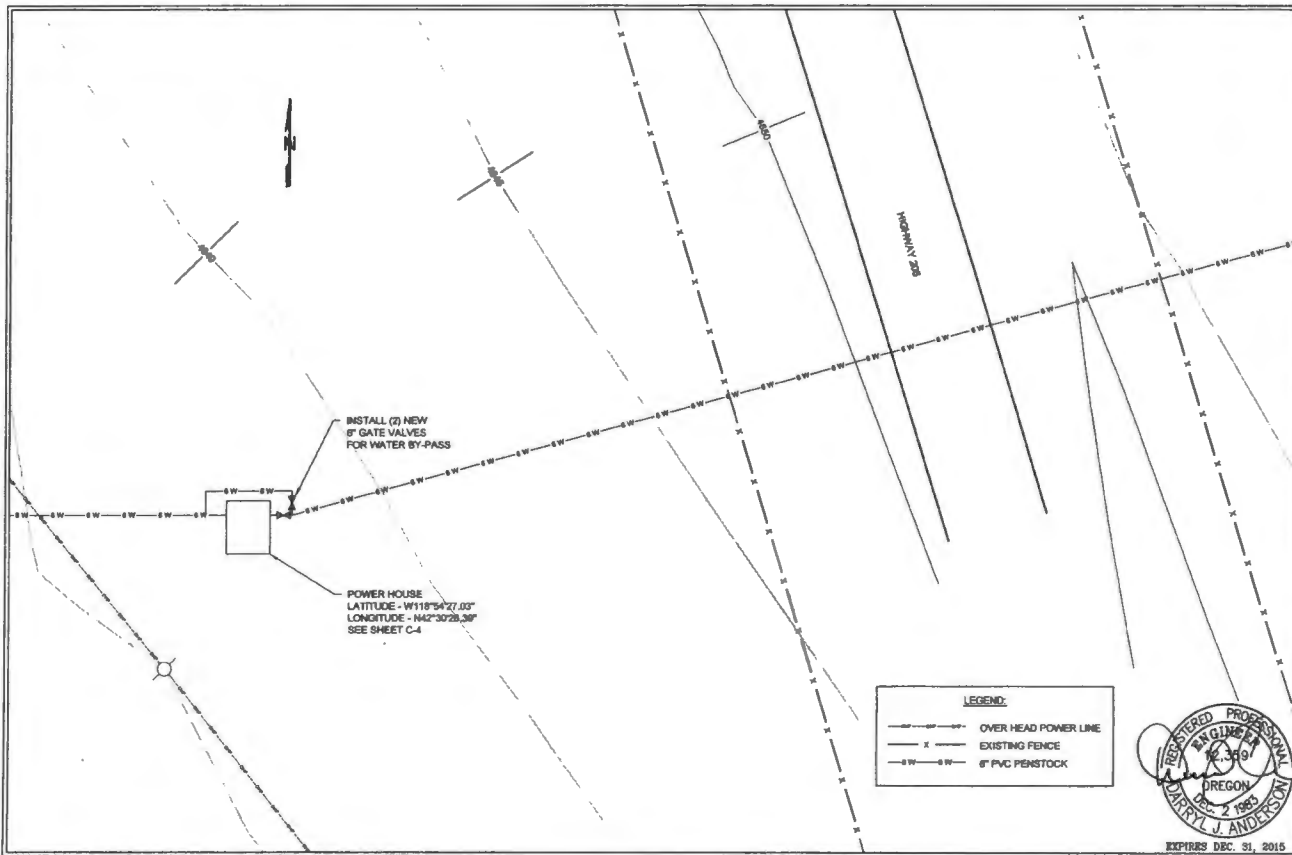
Source =
 3 mile springs
 ↓
 3 mile creek
 ↓
 3 mile Reservoir

4640

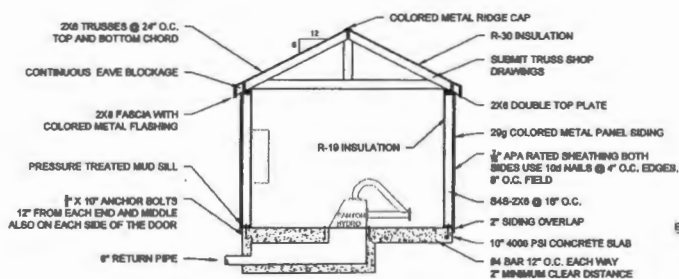
REVISION		BY
ANDERSON ENGINEERING AND SURVEYING, INC. P.O. BOX 28 LAVERGNE, OREGON 97126 (503) 947-4407 FAX: 947-2331		
FOR: BOARDING SPRINGS MARSH 31434 HWY 200 FRENCHGLEN, OR 97728 541-569-1806		
SITE PLAN THREE MILE HYDRO POWER FRENCHGLEN, OREGON		
DATE:	03/13/2014	SCALE: 1" = 200'
OWN. BY:	A.C.K.	
NO:	2013-111	
FILE:	2013-111	
SHEET:	C-1	



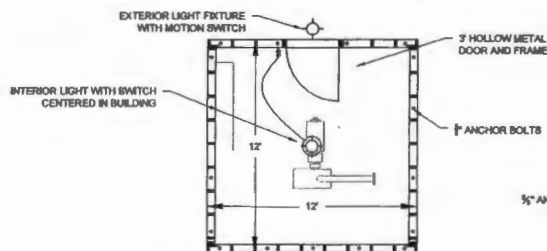




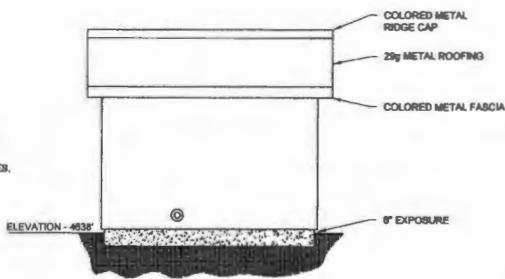
REVISION		BY
ANDERSON ENGINEERING AND SURVEYING, INC. P.O. BOX 28 LAKEVIEW, OREGON 97630 (541) 947-4407 FAX: 947-2321		
FOR: BOLDING STEVEN RANCE 31434 HWY 206 FRENCHGLEN, OR 97738 541-569-1896		
LOWER SYSTEM PLAN THREE MILE HYDRO POWER FRENCHGLEN, OREGON		
DATE: 03/13/2014 SCALE: 1" = 50' DWN. BY: A.C.K. JOB: 2013-111 FILE: 2013-111 SHEET: C-3		



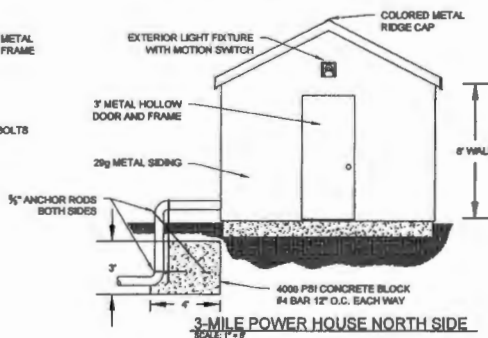
3-MILE POWER HOUSE SECTION
SCALE: 1/4\"/>



3-MILE POWER HOUSE FLOOR
SCALE: 1/4\"/>



3-MILE POWER HOUSE SIDE VIEW
SCALE: 1/4\"/>



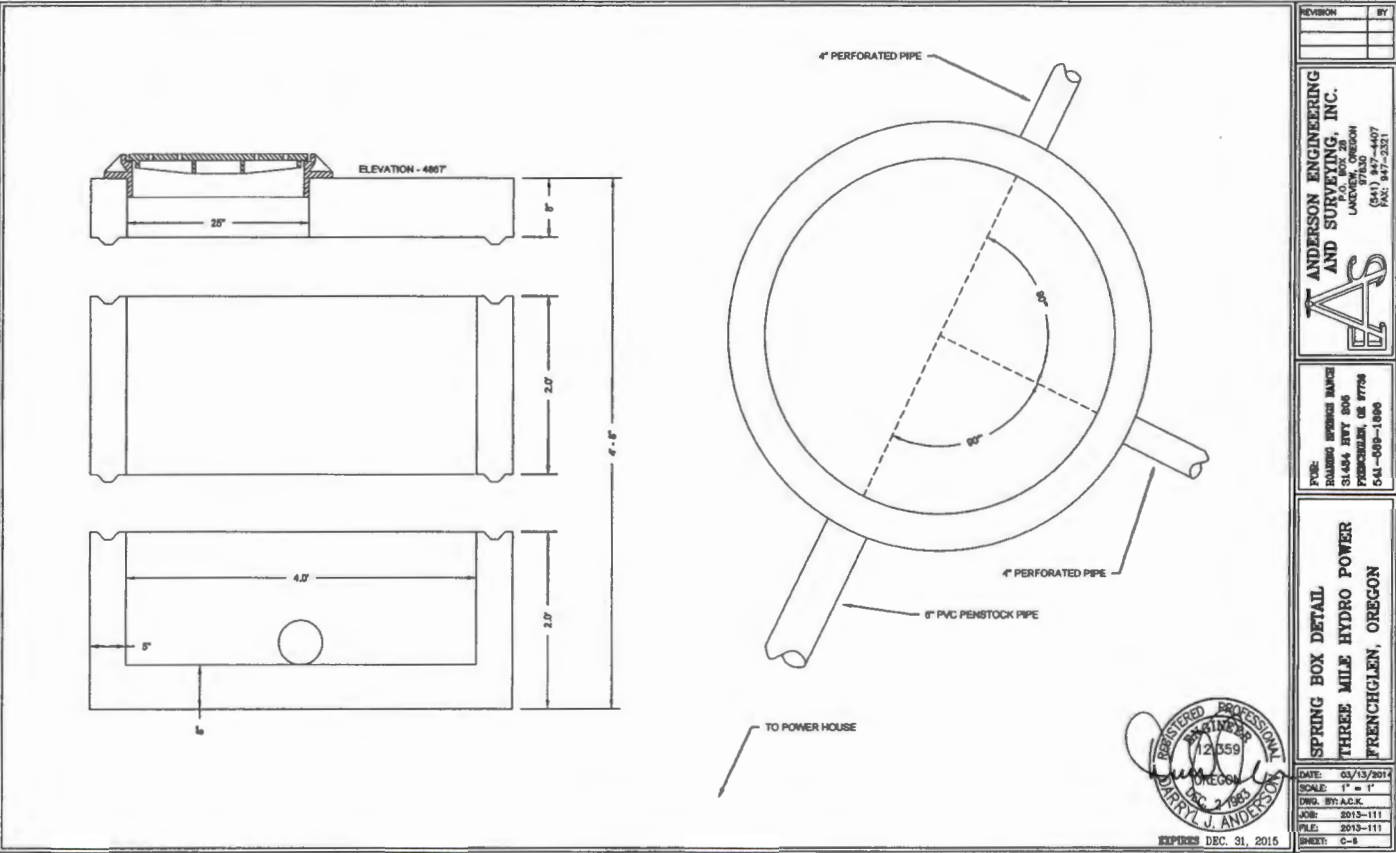
3-MILE POWER HOUSE NORTH SIDE
SCALE: 1/4\"/>



REVISION	BY

ANDERSON ENGINEERING AND SURVEYING, INC. 1545 S. 20th St. LAKEVIEW, OREGON 97630 (503) 467-1467 FAX: (503) 467-2321	POWER HOUSE THREE MILE HYDRO POWER FRENCHGLEN, OREGON
--	--

FOR: MAJOR STRESS BANC 31434 HWY 205 FRENCHGLEN, OR 97738 541-899-1898	DATE: 03/13/2014 SCALE: 1\"/>
--	----------------------------------



Document Content(s)

Three Mile Spring NOI.PDF.....1-12

Vol 15 p. 450 Decree Roaring Springs for cert 23498
Rock creek etc Decree

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION
NOTICE OF INTENT TO CONSTRUCT QUALIFYING CONDUIT HYDROPOWER
FACILITY Eastern Oregon Livestock Co

INTRODUCTORY STATEMENT

Stacy Davies - Roaring Springs Ranch applies to the Federal Energy Regulatory Commission for a determination that the **Roaring Springs Hydropower** is a Qualifying Conduit Hydropower Facility, meeting the requirements of section 30(a) of the Federal Power Act, as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA).

The location of the facility is:

State or Territory: **State of Oregon**
County: **Harney County**
Township or nearby town: **Township 34 South**
Water source: **Springs**

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: **Stacy Davies - Roaring Springs Ranch**
Address: **31434 Highway 205**
Frenchglen, Oregon 97736
Telephone Number: **541-589-1896**
Email Address: **stacyd@countrynaturalbeef.com**

The exact name and business address of each person authorized to act as agent for the applicant(s) in this notice of intent is:

Name of Agent: **Anderson Engineering & Surveying, Inc.**
Address: **17681 Highway 395**
Lakeview, Oregon 97630
Telephone Number: **541-947-4407**
Email Address: **darryla@andersonengineering.com**

NON-FEDERAL CONDUIT

The **Roaring Springs Hydropower** will not use the hydroelectric potential of a federally owned conduit. *[According to section 30(a)(3)(C)(i) of the FPA, as amended by HREA, a qualifying conduit hydropower facility may not use the hydroelectric potential of a federally owned conduit.]*

ORIGINAL PROJECT

The Roaring Springs Hydropower has not been licensed or exempted from the licensing requirements of Part I of the FPA, prior to the enactment of the Hydropower Regulatory Efficiency Act on August 9, 2013.

Project Information

You must provide a detailed description of the proposed hydropower project and a detailed description of the conduit it will use, including the purpose of the existing conduit. The following information must be included:

Roaring Springs Ranch is proposing to generate power from natural springs along the hill by the ranch headquarters to try to power the facilities at the headquarters and remaining power will be net metered. The goal of the ranch headquarters is to be a self-sufficient system.

(1) A detailed description of any conduits and associated consumptive water supply facilities, intake facilities, powerhouses, and any other structures associated with the facility.

[Including, but not limited to: (1) the name of the conduit(s) or consumptive water supply facilities; (2) where the conduit(s) or consumptive water supply facilities begin (including the town, river, or reservoir); (3) the length and width or diameter (if enclosed) of the conduit; (4) the dimensions of the proposed hydroelectric structure and any other facilities needed for hydropower operation (i.e. intake pipes, powerhouse, turbine generating units, discharge pipes); and (5) how, where, and into what the water will discharge from the proposed power structure. If your project discharges into a natural water body, please explain how the hydroelectric project does not alter the primary purpose of the conduit.]

- 1) Roaring Springs is the name of the consumptive water.**
- 2) Conduits will begin at the source of the springs to eliminate water loss.**
- 3) The developing conduits are four and six inch perforated pipe with length up to 483 feet and the main penstock conduit is ten inch PVC with length at 1000 feet.**
- 4) Spring box structure that captures water from the perforated pipe and discharges into the penstock is six feet diameter precast concrete five feet tall. The power house is 14'x17' with traditional wood framing.**
- 5) The water will discharge into a ten inch pipe from the power house and will then discharge into the existing drainage pond.**

(2) The purposes for which the conduit is used:

[Section 30(a)(3)(C)(i) of the FPA, as amended by HREA, requires a qualifying conduit hydropower facility to use the hydroelectric potential of a non-federally owned conduit. Such a conduit means any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and is not primarily for the generation of electricity. Specify the use of your conduit, such as irrigation, water supply, or industrial uses. The primary purpose of the conduit cannot be for power production.]

The existing conduit discharges into a pond network that distributes the water to a canal that is used for irrigation and stock purposes. Prior to the discharge into the pond, there is a domestic water line that is used for the ranch headquarter buildings and housing facilities. The power house discharge is in the same pond network to eliminate any interruptions to the current water use.

(3) The number, type, capacity, and estimated average annual generation of the generating units you are proposing, including plans, if any, for future units:

[The installed generating capacity cannot exceed 5 MW.]

We are proposing one dual nozzle pelton turbine with 600 rpm induction generator with a capability of 37kw of power with no plans for future units.

(4) Your project must use the hydroelectric potential conduit to generate power; however, if your project is associated with any dam or impoundment, please provide a description of the nature and extent of the dam or impoundment, including a statement of the normal maximum surface area and normal maximum surface elevation of any existing impoundment before and after the hydroelectric facilities are installed. If your project involves a dam or impoundment, you must provide a profile drawing showing the hydropower potential is created by the conduit and not the dam. You must also provide evidence that the dam or impoundment would be constructed or continue to exist for agricultural, municipal, or industrial consumptive purposes even if the hydroelectric generating facilities were not installed:

There is no dam or impoundment associated with this project.

Existing Preliminary Permit or Permit Application Pending

If you have a preliminary permit for the facility or have applied for a preliminary permit, please provide the permit number below.

P-_____

Drawings, Maps, Diagrams

Include a set of drawings/maps/diagrams clearly showing the structures and equipment of the hydroelectric facility in relation to the existing conduit. Project drawings of the project must include:

- *A Plan View (overhead view) drawing of the proposed hydropower facilities. The drawing must include the following:*
 - *The hydroelectric facilities, including all intake and discharge pipes, and how those pipes connect to the conduit*
 - *The portion of the conduit in proximity to the facilities on which the hydroelectric facilities will be located*
 - *Identification of facilities as either existing or proposed*
- *A Location Map showing the facilities and their relationship to the nearest town. The map must include the following:*
 - *The powerhouse location labeled along with its latitude and longitude*
 - *The nearest town, if possible, or other permanent monuments or objects, such as roads or other structures, that can be easily noted on the map and identified in the field*

VERIFICATION

You must provide Verification in one of the following forms:

Either a sworn, notarized statement, which states:

1. As to any facts alleged in the application or other materials filed, be subscribed and verified under oath in the form set forth below by the person filing, an officer thereof, or other person having knowledge of the matters sent forth. If the subscription and verification is by anyone other than the person filing or an officer thereof, it shall include a statement of the reasons therefor.

This (application, etc.) is executed in the:

State of: _____

County of: _____

by: (Name) _____
(Address) _____

being duly sworn, depose(s) and say(s) that the contents of this (application, etc.) are true to the best of (his or her) knowledge or belief. The undersigned applicant(s) has (have) signed the (application, etc.) this _____ day of _____, 20____.

By: _____

Subscribed and sworn to before me, a _____ [Notary Public, or title of other official authorized by the state to notarize documents, as appropriate] of the State of _____ this day of _____, 20____.

/SEAL/ [if any]

(Notary Public, or other authorized official)

Or an unsworn declaration in the following form:

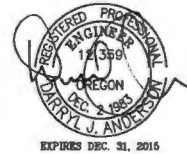
2. "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on April 3, 2014 [date]."

Stacy L. Davis, Manager
(Signature)

ROARING SPRINGS RANCH
HEADQUARTERS HYDRO POWER PROJECT
HARNEY COUNTY
FRENCHGLEN, OREGON

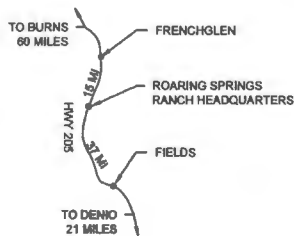
INDEX OF DRAWINGS

COVER SHEET	SHEET C-0
PLAN VIEW	SHEET C-1
DEVELOPED SPRINGS NORTH	SHEET C-2
DEVELOPED SPRINGS SOUTH	SHEET C-3
LOWER SYSTEM PLAN	SHEET C-4
POWER HOUSE	SHEET C-5
TRENCH DETAIL	SHEET C-6
SPRING BOX DETAIL	SHEET C-7

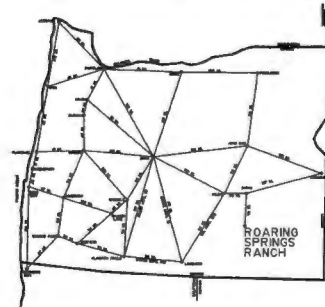


GENERAL NOTES

- 1.) TRENCH BACKFILL SHALL BE IN ACCORDANCE WITH THE DRAWINGS AND THE SPECIFICATIONS. ALL MATERIAL SHALL BE APPROVED BY ENGINEER PRIOR TO INSTALLATION.
- 2.) CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI @ 28 DAYS. STEEL REINFORCING ANCHORS SHALL BE NO. 4 GRADE 40 DEFORMED BAR CONFORMING TO ASTM-A615.

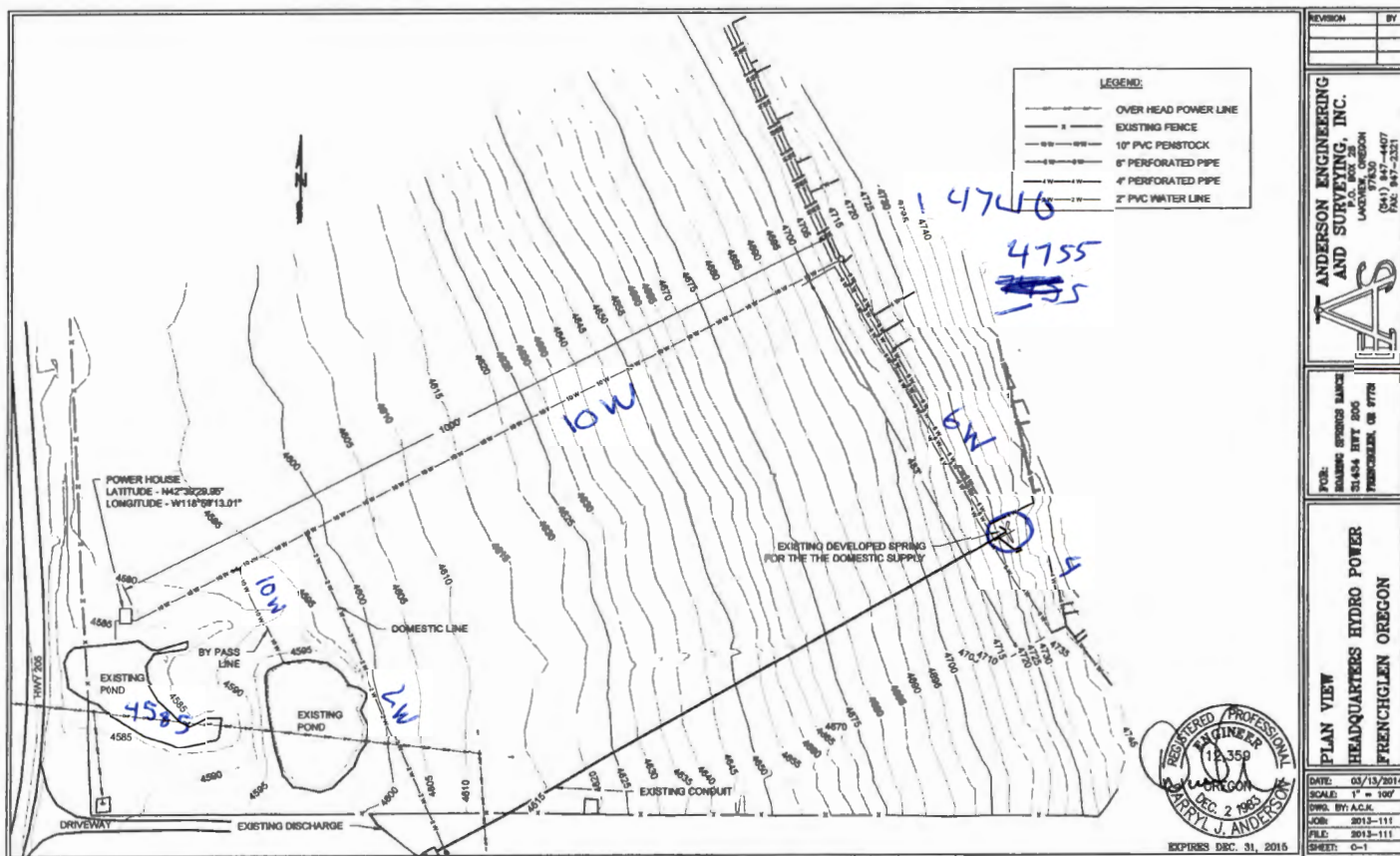


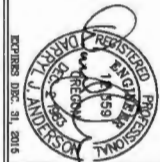
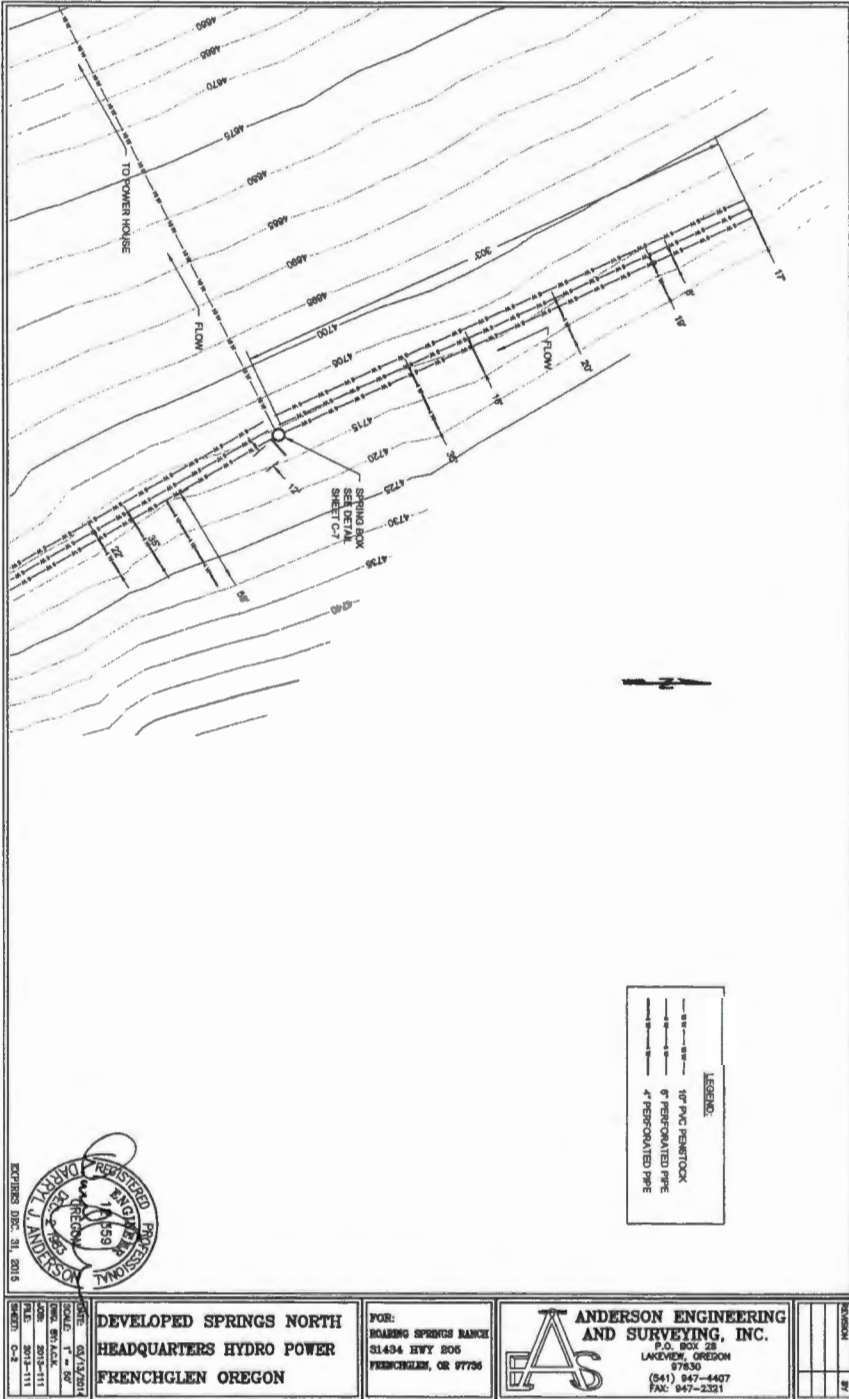
VICINITY MAP
NO SCALE



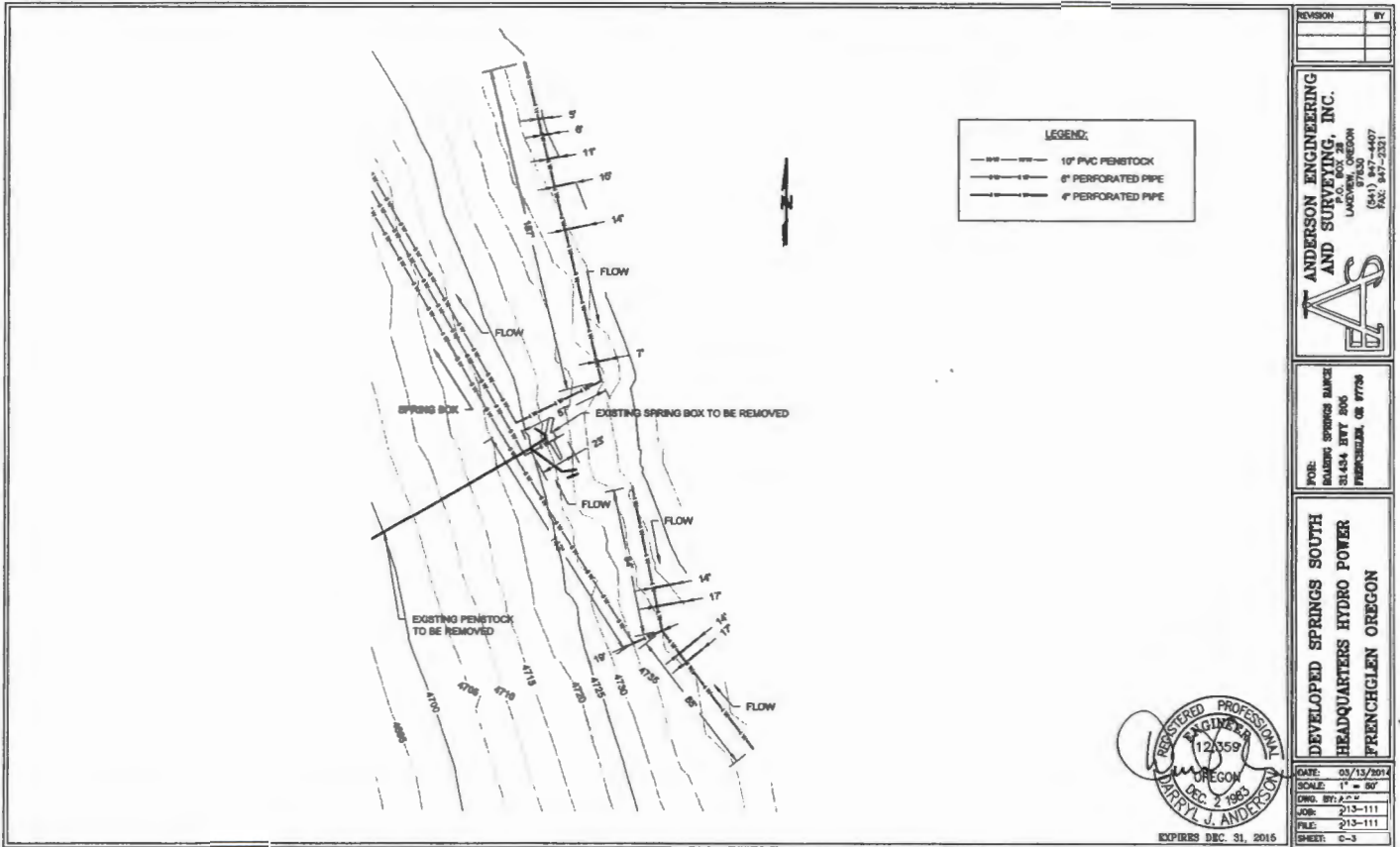
AREA MAP
NO SCALE

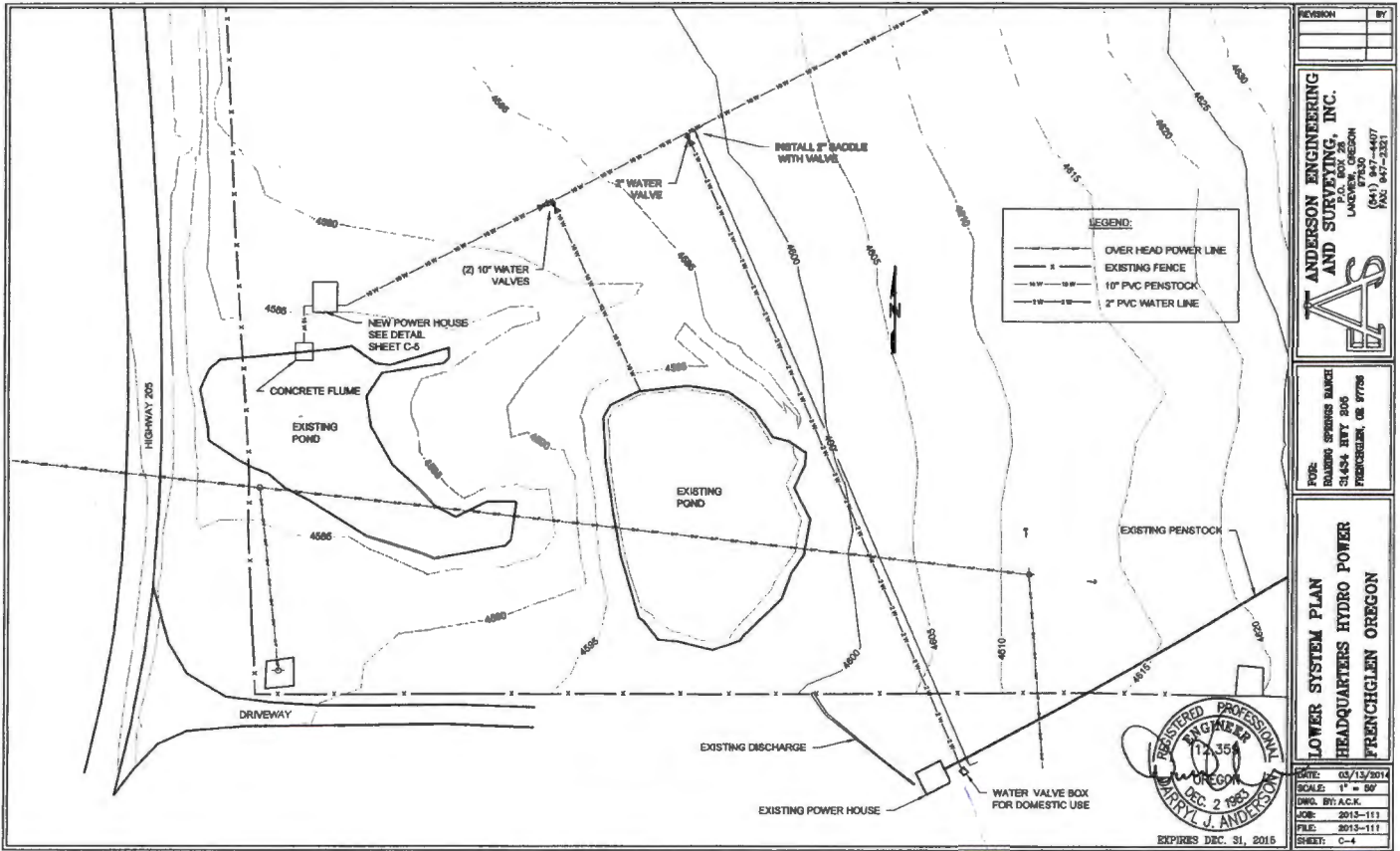
REVISION	BY
ANDERSON ENGINEERING AND SURVEYING, INC.	
P.O. BOX 28 LAKEVIEW, OREGON 97638 (541) 947-4407 FAX 947-2301	
FOR: ROARING SPRINGS RANCH 31454 HWY 205 FRENCHGLEN, OR 97706 541-689-1899	
COVER SHEET HEADQUARTERS HYDRO POWER FRENCHGLEN OREGON	
DATE:	05/13/2014
SCALE:	NO SCALE
DWG. BY:	A.C.K.
JOB:	2013-111
FILE:	2013-111
SHEET:	C-0



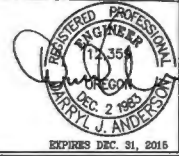


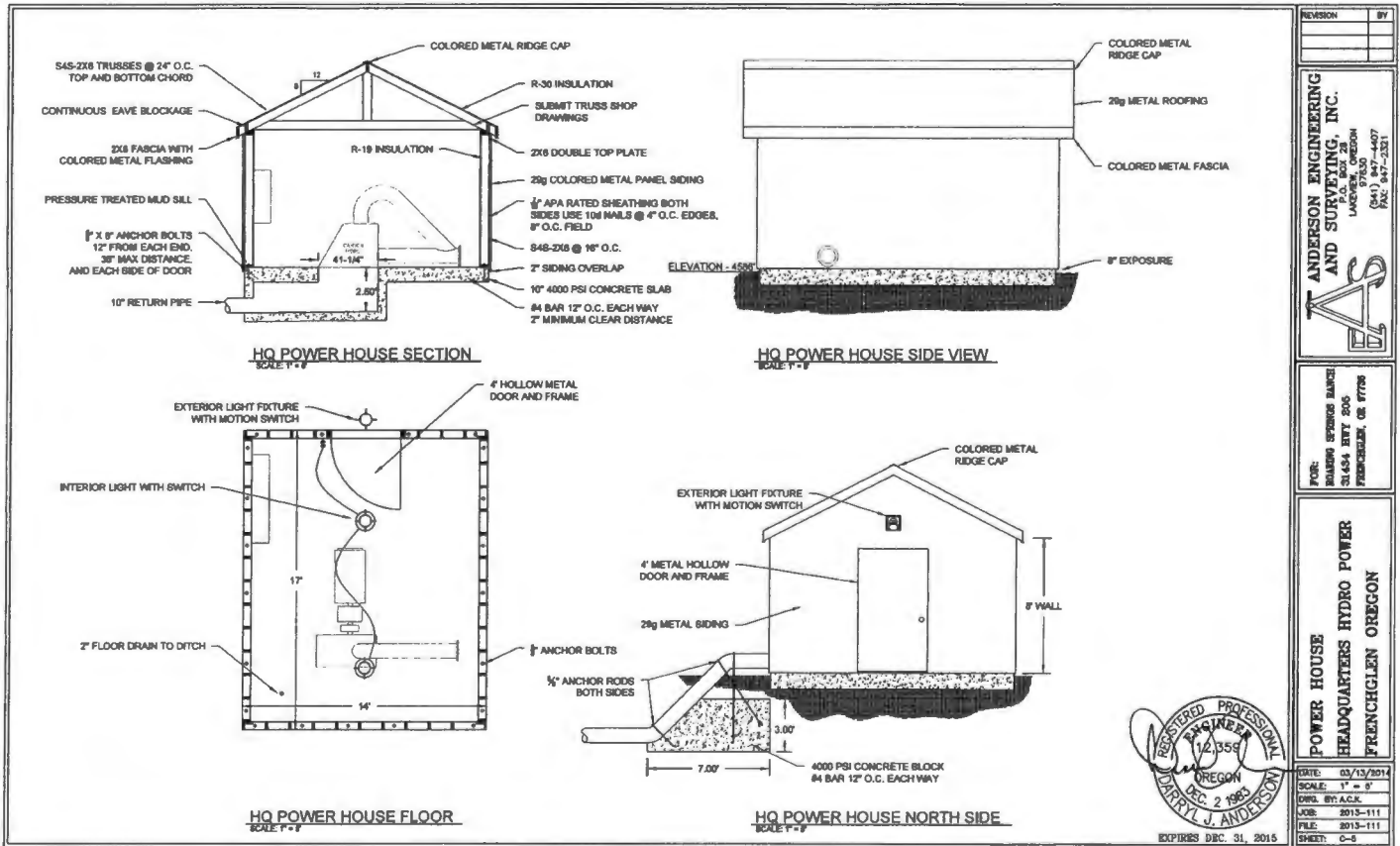
DATE: 04/19/2014 DRAWN BY: J.A.A. FILE: 2013-111 SHEET: C-2	DEVELOPED SPRINGS NORTH HEADQUARTERS HYDRO POWER FRENCHGLEN OREGON	FOR: BOARDING SPRINGS RANCH 31434 HWY 205 FRENCHGLEN, OR 97736	ANDERSON ENGINEERING AND SURVEYING, INC. P.O. BOX 28 LAKEVIEW, OREGON 97830 (541) 947-4477 FAX: 947-2321	REVIEWED BY
--	---	---	--	----------------





REVISION		BY
ANDERSON ENGINEERING AND SURVEYING, INC. P.O. BOX 28 LAVERGNE, OREGON 97126 (503) 847-4407 FAX 503-847-3321		
AS		
FOR: RAJIBO SPRINGS BLANK 31454 HWY 205 FRENCHGLEN, OR 97708		
LOWER SYSTEM PLAN HEADQUARTERS HYDRO POWER FRENCHGLEN OREGON		
DATE: 03/13/2014 SCALE: 1" = 50' COND. BY: A.C.K. JOB: 2013-111 FILE: 2013-111 SHEET: C-4		





REVISION	BY

ANDERSON ENGINEERING AND SURVEYING, INC.
LAWRENCE, OREGON
(541) 947-4407
FAX: 947-2331

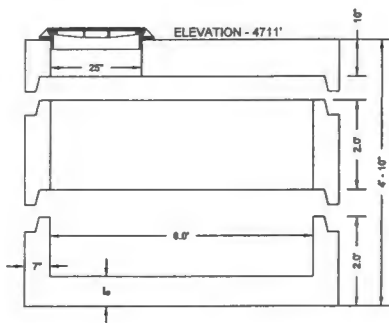
FOR: BUILDING SPONSOR: 31454 HWY 205, FRENCHGLEN, OR 97738

POWER HOUSE HEADQUARTERS HYDRO POWER FRENCHGLEN OREGON

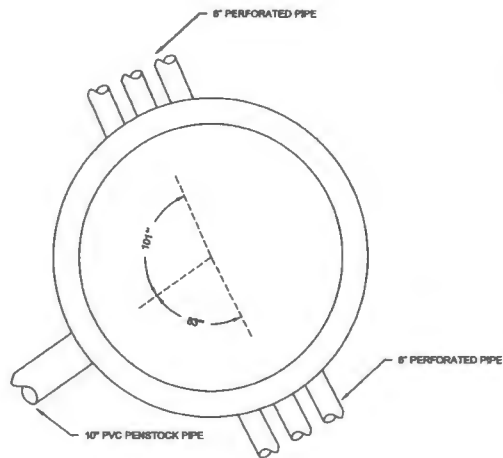
REGISTERED PROFESSIONAL ENGINEER
12,355
OREGON
DEC. 2, 1995
DORRILL J. ANDERSON

DATE: 03/13/2014
SCALE: 1" = 8'
DWG. BY: A.C.K.
JOB: 2013-111
FILE: 2013-111
SHEET: 0-8
EXPIRES DEC. 31, 2015

TRENCH DETAIL HEADQUARTERS HYDRO POWER FRENCHGLEN OREGON	
FOR: WALES SPRINGS BLANCH 31454 EFT 205 FRENCHGLEN, OR 97738	
ANDERSON ENGINEERING AND SURVEYING, INC. P.O. BOX 28 LAKEVIEW, OREGON 97630 (503) 875-4497 FAX: (503) 875-1731	
DATE: 03/13/2013	BY: _____
SCALE: 1" = 1'	
DWS: BTJ/ACR	
JOB: 2013-1111	
FILE: 2013-1111	
SHEET: 0-6	



SPRING BOX SECTION DETAIL
SCALE: 1" = 2'



SPRING BOX TOP VIEW
SCALE: 1" = 1'



REVISION		BY
ANDERSON ENGINEERING AND SURVEYING, INC.		
P.O. BOX 28 LAKEVIEW, OREGON (541) 947-4407 FAX: 947-3331		
FOR: BOLLING SPRINGS BLANCH 31454 HWY 205 FRENCHGLEN, OR 97738		
SPRING BOX DETAIL HEADQUARTERS HYDRO POWER FRENCHGLEN OREGON		
DATE:	03/13/2014	
SCALE:	1" = 2'	
DWG. BY:	A.C.K.	
JOB:	2013-111	
FILE:	2013-111	
SHEET:	C-7	

Document Content(s)

Roaring Springs NOI.PDF.....1-13



