

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 16, 2022

*This notice is also available on our web page at the following address:
http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- * **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Applications: Drought Temporary Transfers**
Requests to temporarily change character of use, place of use or point of diversion during a drought declared under ORS 536.740.
- * **Transfer Notice: District Permanent Transfers for Place of Use- ORS 540.580(4)**
District notices filed for place of use changes within a district's boundary.
- * **Water Management and Conservation Plan Progress Reports**
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.

* **Certificate Issuance**

Included in this section is a listing of recently issued water right certificates.

* **Hydro Project Eligible for Conversion Instream**

* **HE 260 Draft Proposed Final Order Draft Cert.**

* **HE 238 Draft Proposed Final Order Draft Cert.**

The Public Notice is published each week on the Department's web site at www.oregon.gov/OWRD. If you would like to receive a *free* weekly notification when it is published, please send your request to Julie.C.Baustian@water.oregon.gov.

How to Read the Listing

App#:

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

County/Basin (See Map)

Applicant Name

Applicant Address

Sources/TRSQ40Q160

Use/Quantity

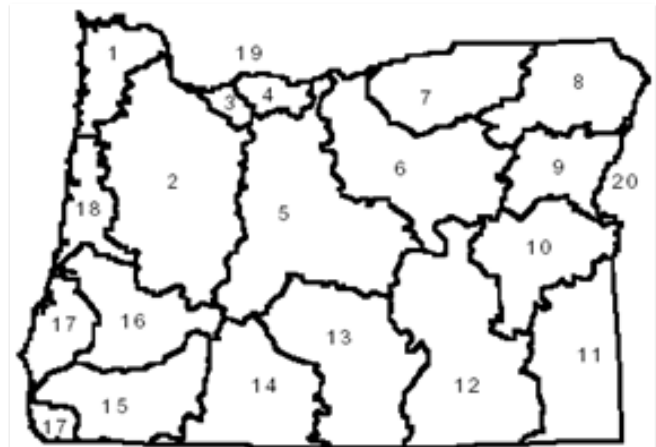
Unit of measure:

- CFS: Cubic feet per second
- GPM: Gallons per minute
- AF: Acre-feet

Priority Date

Stage/Status

- IR: Initial Review
- PFO: Proposed Final Order



BASINS:		
1. North Coast	8. Grande Ronde	15. Rogue
2. Willamette	9. Powder	16. Umpqua
3. Sandy	10. Malheur	17. S. Coast
4. Hood	11. Owyhee	18. Mid-Coast
5. Deschutes	12. Malheur L.	19. Columbia
6. John Day	13. Goose/Summer L.	20. Snake
7. Umatilla	14. Klamath	

Commonly used “Type of Use” abbreviations (for definitions, consult Oregon Administrative Rules 690-300):

AG: Agriculture	GR: Groundwater recharge	MU: Municipal
CR: Cranberry uses	GT: Geothermal	NU: Nursery use
CM: Commercial	ID: Irrigation with domestic	PA: Pollution abatement
DI, DN: Domestic including non-commercial lawn & garden	IL: Irrigation with livestock	PW: Power
DO: Domestic	IM: Industrial or manufacturing	QM: Quasi-municipal
DS: Domestic & stock	IR: Irrigation	RC: Recreation
FI: Fish	IS: Irrigation, supplemental	RW: Road construction
FP: Fire protection	LV: Livestock	TC: Temperature control
FW: Fish & wildlife	LW: Livestock & wildlife	WI: Wildlife
GD: Group domestic	MI: Mining	

Initial Review and Proposed Final Orders

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (Basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules.

Initial Review Stage (IR)

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations that affect the agency's decision on whether to issue a permit. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, September 15, 2022. Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

Proposed Final Order Stage (PFO)

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$35. (Any person paying \$35 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Those disagreeing with the Department's decision as expressed in the PFO have 45 days to file a protest.

The protest deadline for proposed final orders appearing in this public notice is 5pm, Friday, September 30, 2022.

The protest filing fee is \$480 for the applicants and \$950 for non-applicants. Detailed requirements for filing a protest are included in the PFO. Persons who support the PFO may file a "standing" fee of \$270 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$680 will be required to request to participate as a party or limited party.

If a protest or comment deadline falls on a day that the office is closed, then the next open business day automatically becomes the deadline date.

Initial Review and Proposed Final Orders

App#	R-88061
County/Basin	Grant / John Day (6)
Applicant Name	DOVENBERG, JAMES 27950 SW MOUNTAIN RD WEST LINN, OR 97068
Sources/TRSQ40Q160	BRIDGE CREEK > JOHN DAY RIVER / 13.00S 28.00E 19 SWNE BRIDGE CREEK > JOHN DAY RIVER / 13.00S 28.00E 30 NWNW GROUSE CREEK > WIDOWS CREEK / 13.00S 28.00E 29 NENE GROUSE CREEK > WIDOWS CREEK / 13.00S 28.00E 21 SWSW WEST FORK DRY CREEK > DRY CREEK / 13.00S 28.00E 27 SWSW EAST FORK DRY CREEK > DRY CREEK / 13.00S 28.00E 34 NWSE
Use/Quantity	LIVESTOCK / 8.700 AF
Priority Date	03/16/2015
Stage/Status	PFO / PROPOSE TO APPROVE
App#	G-18434
County/Basin	Marion / Willamette (2)
Applicant Name	FOLSOM, CALEB 3421 MATHENY RD NE GERVAIS, OR 97026
Sources/TRSQ40Q160	A WELL > PATTERSON CREEK / 5.00S 3.00W 36 NESE
Use/Quantity	NURSERY USES / 0.272 CFS
Priority Date	01/12/2017
Stage/Status	PFO / PROPOSE TO DENY
App#	S-88725
County/Basin	Linn / Willamette (2)
Applicant Name	NELSON, ELDON J. AND KIM 36477 HWY 228 BROWNSVILLE, OR 97327
Sources/TRSQ40Q160	CALAPOOIA RIVER > WILLAMETTE RIVER / 14.00S 2.00W 4 NESE
Use/Quantity	IRRIGATION / 0.170 CFS
Priority Date	07/25/2019
Stage/Status	PFO / PROPOSE TO APPROVE
App#	G-19034
County/Basin	Wasco / Hood (4)
Applicant Name	MEENGs, RAYMOND ALLEN AND SUSAN 6153 MILL CREEK RD THE DALLES, OR 97058
Sources/TRSQ40Q160	A WELL > MILL CREEK / 1.00N 12.00E 14 SWSE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.038 CFS
Priority Date	09/28/2020
Stage/Status	PFO / PROPOSE TO DENY

Final Orders - Permit & Limited License Applications

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$35 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

App# [LL-1933](#)
County/Basin Union / Grande Ronde (8)
Applicant Name BOISE CASCADE WOOD PRODUCTS LLC
ATTN: RHONDA SMITH
90 S 21ST ST
ELGIN, OR 97827
THANE, LINDSAY
1211 SW 5TH AVE SUITE 1900
PORTLAND, OR 97204
Issue Date 08/15/2022
Status WITHDRAWN

App# [LL-1934](#)
County/Basin Union / Grande Ronde (8)
Applicant Name BOISE CASCADE WOOD PRODUCTS LLC
ATTN: RHONDA SMITH
90 S 21ST ST
ELGIN, OR 97827
Issue Date 08/15/2022
Status APPROVED

App# [R-88061](#)
County/Basin Grant / John Day (6)
Applicant Name DOVENBERG, JAMES
27950 SW MOUNTAIN RD
WEST LINN, OR 97068
Priority Date 03/16/2015
Issue Date 09/30/2022
Status RESCINDED

App# [R-88189](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name STROEMPLE, GEORGE
PO BOX 1810
LAKE OSWEGO, OR 97035
Priority Date 03/01/2016
Issue Date 08/12/2022
Status WITHDRAWN

App# [R-88190](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name STROEMPLE, GEORGE
PO BOX 1810
LAKE OSWEGO, OR 97035
Priority Date 03/01/2016
Issue Date 08/12/2022
Status WITHDRAWN

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until September 15, 2022. Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$35 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

App#	G-16976
Permit Number	G-16766
County/Basin	Crook / Deschutes (5)
Applicant Name	FOSS, C B. PO BOX 395 TERREBONNE, OR 97760
	FOSS, JOY 48112 SE VAN LAKE RD PRINEVILLE, OR 97754
Sources/TRSQ40Q160	A WELL > DRY LAKE / 20.00S 20.00E 3 SESE
Use/Quantity	IRRIGATION / 0.670 CFS
Proposed Completion Date	10/01/2027

Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after August 30, 2022, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing "LL Application" under "Scanned Documents."

App#	LL-1939
County/Basin	Umatilla / Umatilla (7)
Applicant Name	ROCK SOLID SAND AND GRAVEL LLC 28598 STAFFORD HANSEL ROAD HERMISTON, OR 97838
Sources/TRSQ40Q160	A RESERVOIR > UMATILLA RIVER / 4.00N 27.00E 28 NENW A RESERVOIR > UMATILLA RIVER / 4.00N 27.00E 28 NENE
Use/Quantity	GENERAL CONSTRUCTION OR MAINTENANCE / 0.891 CFS

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before September 15, 2022. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	T-14066
Water Right	Cert: 96191, 96192
County/Basin	Deschutes / Deschutes (5)
Applicant Name	BARBER, REX BIG FALLS RANCH PO BOX 434 TERREBONNE, OR 97760
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > DESCHUTES RIVER / 14.00S 12.00E 18 SWSE A WELL > DESCHUTES RIVER / 14.00S 12.00E 17 SWNE A WELL > DESCHUTES RIVER / 14.00S 12.00E 17 NWNW A WELL > DESCHUTES RIVER / 14.00S 12.00E 9 SENW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 4.4998 CFS IRRIGATION / 3.6898 CFS
Priority Date	10/23/1973, 04/13/1967

Transfer Applications: Drought Temporary Transfer

During the effective time period of a drought declaration under ORS 536.740, the Commission or the Director may: (1) Allow a temporary transfer of a water right without complying with the notice and waiting requirements of ORS 540.520; (2) Allow a temporary exchange of water without giving notice as required under ORS 540.535; and (3) Use an expedited notice and waiting requirement for the substitution of a supplemental ground water right for a primary water right.

Notice is given that the following applications for Drought Temporary Transfers have been received by the Department. Consistent with the drought emergency, an order approving or denying the drought transfer will be issued as soon as the Department is able to process the application.

Transfer [T-14067](#)
Water Right Cert: 90309
County/Basin Harney / Malheur Lake (12)
Applicant Name ROOT, ANDY J.
RATTLESNAKE CREEK LAND & CATTLE CO LLC
524 HWY 20 N
HINES, OR 97738
Proposed Change POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE, USE
Sources/TRSQ40Q160 A WELL > WEST FORK SILVIES RIVER / 23.00S 30.00E 26 NESE
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 3.230 CFS
Priority Date 11/24/1997

Transfer [T-14068](#)
Water Right Cert: 95746 (T-13456) CN
County/Basin Deschutes, Klamath / Deschutes (5)
Applicant Name DELASHMUTT, KAMERON
PINNACLE UTILITIES LLC
2447 NW CANYON DR
REDMOND, OR 97756
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 LITTLE DESCHUTES RIVER > DESCHUTES RIVER / 23.00S 9.00E 34 SWSW
Use/Quantity IRRIGATION / 26.874 CFS
Priority Date 12/31/1897, 12/31/1900, 04/30/1902

Notice of District Permanent Transfer for Place of Use

A district may allow a change in place of use prior to the Department issuing a final order approving a district permanent transfer application provided, in part, that (1) the District files a notice with the Department of the change in place of use prior to making the change, and (2) prior to the end of the calendar year in which the change in place of use occurs the District submits a district permanent transfer application for the same change in place of use [ORS 690-385-4100(1)(a) and (b)]. Notices for District Permanent Transfers for Place of Use submitted to the Department are listed below.

Notice **2022-013**
County Deschutes
Certificate 94956; 76714
Priority Date 10/31/1900; 12/2/1907; 2/28/1913
Name CENTRAL OREGON IRRIGATION DISTRICT
Address 1055 S.W. LAKE CT
REDMOND, OR 97756
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES
Acres: 1.26
Authorized POU: T18S R13E 06 NWNE
Proposed POU: T18S R13E 06 NWNE

Notice **2022-015**
County Deschutes
Certificate 94956; 76714
Priority Date 10/31/1900; 12/2/1907; 2/28/1913
Name CENTRAL OREGON IRRIGATION DISTRICT
Address 1055 S.W. LAKE CT
REDMOND, OR 97756
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES
Acres: 2.06
Authorized POU: T17S R13E 34 SWSE
Proposed POU: T17S R13E 34 SWSE

Notice **2022-016**
County Deschutes
Certificate 94956; 76714
Priority Date 10/31/1900; 12/2/1907; 2/28/1913
Name CENTRAL OREGON IRRIGATION DISTRICT
Address 1055 S.W. LAKE CT
REDMOND, OR 97756
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES
Acres: 0.82
Authorized POU: T17S R13E 19 NWSW
Proposed POU: T17S R13E 19 NWSW

Water Management and Conservation Plan Progress Reports

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice.

Progress reports have been submitted by the following municipal supplier(s):

City of Hillsboro (Municipal)

To review any of the above progress report(s) or to provide comments on the progress report(s), contact Tamera Smith at 458-253-0597 or Tamera.L.Smith@water.oregon.gov.

Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

Cert# [96390](#)
App: G-18160
County/Basin Lane / Willamette (2)
Applicant Name HARDER, CRYSTAL
Priority Date 11/12/2015
Issue Date 08/12/2022

Cert# [96387](#)
App: G-13264
County/Basin Morrow / Umatilla (7)
Applicant Name PORT OF MORROW
PORT OF MORROW
Priority Date 01/22/1993
Issue Date 08/12/2022

Cert# [96355](#)
Xfer: T-12120
County/Basin Lane / Willamette (2)
Applicant Name U.S. BUREAU OF RECLAMATION
Priority Date 08/16/1954
Issue Date 08/12/2022

Notice of Consideration for Conversion of a Hydroelectric Water Right To an Instream Right In Hood River County

This process is governed by ORS 543A.305 and OAR 690-054.

The Pacific Power and Light Company (Company) perfected the use of 500 cubic feet per second (cfs) of water from the Hood River, at Powerdale Dam, for hydroelectric power purposes as evidenced by water right certificate 46965. The priority date of this right is 1901 for 140 cfs of water and 1911 for 360 cfs. The location of the Powerdale diversion was 400 feet North and 50 feet West from the SE corner of Section 11, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 10 East, W.M.

On November 7, 2006, a large flood caused significant damage to the Powerdale hydroelectric project.¹ The flowline from the dam to the powerhouse was destroyed, so that hydroelectric use was no longer possible at the project. The Company determined that the hydroelectric project would not be economical to repair or relicense and has decommissioned the dam and powerplant facility. On December 22, 2010, the Company submitted written consent for the hydroelectric water right under certificate 46965 to be converted to an instream water right pursuant to ORS 543A.305. (Exhibit 1)

The Director makes a preliminary finding that the full amount of the water right up to 500 cfs is eligible for conversion for all months of the year. According to the records of the Department, no part of the water right has been transferred under ORS 540.520 or 540.530. During the time of hydroelectric use, all the water was used exclusively for hydroelectric purposes, no part of the right was used in conjunction with another water right, nor in conjunction with multi-purpose dam releases.

The Director makes the following preliminary findings on the potential for injury and whether mitigation measures may be necessary to avoid injury and to ensure the continuation of other authorized water rights as of October 23, 1999.

Concerning actual use of the hydroelectric project: based on Water Right Certificate 46965, the hydroelectric project actually used up to 500 cfs of water in all months of the year. The Powerdale dam provided only minimal storage, about 5 acre-feet.² The dam and storage capacity have been completely decommissioned.

¹ PacifiCorp Energy letter to Federal Energy Regulatory Commission, February 1, 2007, http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20070206-0191

² Federal Energy Regulatory Commission, order amending licensing, accepting surrender . . . November 22, 2005, https://elibrary.ferc.gov/eLibrary/idmws/file_list.asp?accession_num=20051122-3041

The Company has submitted data to the Department for water years 1998 to 2004 that shows water use for power purposes at the Powerdale project. (Exhibit 2). In practice, hydroelectric production at the Powerdale site followed a “run-of-the-river” pattern. Flows up to 500 cfs were used in the seasons of winter and spring when streamflows were high. But, when less water was available in summer, then electricity production would be lower. Under the Federal Energy Regulatory Commission license for the project, the Company was required to bypass flows of 100 cfs or more to maintain water instream. The by-pass flow was not protected by a water right under the State of Oregon’s water law. Therefore, it was not a “right of record” that could be protected by the Water Resources Department. (ORS 540.045). The Department did not “regulate off” junior water users to enable the Company to bypass water downstream. Therefore, the Company used only the water that was available after all other uses upstream had been met. The hydroelectric project did not cause regulation of any upstream water user.

An excellent indicator of the amount of water that was available for use at the Powerdale site is the U.S. Geological Survey’s streamflow gage approximately 2 miles upstream of Powerdale Dam – Hood River at Tucker Bridge, near Hood River, OR - Gage 14120000. Exhibit 2 shows the median statistics of daily mean flows at Tucker Bridge from October 1, 1964 through November 7, 2006

https://nwis.waterdata.usgs.gov/or/nwis/dvstat/?referred_module=sw&site_no=14120000&por_1412000_113482=546312,00060,113482,1897-10-20,2022-03-22&start_dt=1986-10-01&end_dt=2006-11-07&format=html_table&stat_cds=p50_va&date_format=YYYY-MM-DD&rdb_compression=file&submitted_form=parameter_selection_list

Median statistics show flows greater than 600 cfs (500 cfs for the turbines and 100 cfs for bypass conditions) were available from the middle of November through June. Occasionally 600 cfs would have been available for at least a few days in all months of the year. The power plant would have been ready and willing to use whatever flows were available to it.

There are no water rights authorized to withdraw water from the mainstem Hood River between Tucker Bridge and the former Powerdale dam site. Summertime flows at the Powerdale dam site are assumed to be 10 to 40 cfs greater than at Tucker Bridge because of inflows from Odell and Neal Creeks and from the Farmers Irrigation District’s hydroelectric project. Therefore, streamflow records at Tucker Bridge are considered to be conservative estimates of the streamflows at the Powerdale site.

Concerning the resulting impacts of the proposed conversion on actual use by other existing water rights as of October 23, 1999: the Department has records of water right certificates and permits that are junior to 1901 and 1911, and are upstream of the Powerdale point of diversion. A summary of other water rights is provided in Table 1. A full listing of authorized points of diversion in the Hood River basin is available at:

https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_summary_pod.aspx.

Many of the water rights are reported on annually by the irrigation districts.

https://apps.wrd.state.or.us/apps/wr/wateruse_query/

New regulation during irrigation season would likely be required under Chapter 690, Division 250 for the proposed conversion to an Instream Water Right, based upon historic streamflow records and records of actual use of other existing water rights as of October 23, 1999. The water right was not subordinate to any other water right as originally decreed or certificated.

There is a preliminary finding that the conversion instream has the potential to injure other existing water rights as of October 23, 1999, and mitigation measures may be necessary to avoid injury and to ensure the continuation of other authorized water rights as of October 23, 1999.

The Department requests comments from interested citizens, organizations, tribal and governmental entities, and other parties on this proposed conversion action. There is a 30-day comment period for any interested person to propose mitigation measures as conditions of the instream water right to avoid injury and to ensure the continuation of authorized water uses by other existing water rights as of October 23, 1999. Comments, questions, or requests to be included on future notices must be received by 5:00 PM on **Thursday, September 15, 2022**.

After the comment period has closed, the Department will share information with interested persons about mitigation measures that may have been proposed during the comment period and will meet and confer with those interested persons. The Department may extend the comment period to allow discussion of mitigation measures, and for interested persons to reach agreement. The Department must obtain affidavits consenting to the relevant mitigation measures from each holder of another existing water right as of October 23, 1999, that is potentially subject to new regulation under OAR 690-250 as a result of a conversion to an instream water right.

Consistent with OAR 690-54-0040, the Director will determine whether the conversion, together with any recommended mitigation measures to avoid injury and to ensure the continuation of authorized water uses prior to October 23, 1999, meets the standards of ORS 543A.305 and OAR 690-054. The Director will issue a notice of a proposed order approving or denying the conversion that will start a 60-day period for interested persons to file protests or requests for standing.

Contact: Craig Kohanek, Oregon Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301 or to Ron.c.kohanek@water.oregon.gov

Table 1. Water Rights Summary -- Hood River Basin

Major Users	Prior to 1911		Post 1911		Frost Protection etc	Power	Instream	Post Oct 1999
	Acres	CFS	Acres	CFS				
Primary Rights								
Dee Irrigation	737	7.72	132.70	1.66	13.55		3.00	
East Fork	8546	104.2	1064.80	13.31	37.10		2.1	
Farmers	5521	71.66	155.89	1.97	38.93	168		
Middle Fork	1237	9.27	5120.60	63.61	48.64	40		
Mount Hood	924	11.55	93.70	1.10	22.26			
Other Irrigators		25.3		12.86				3
Municipals		2+		31.5				
Other Uses		24.63		34.8				6.2
Reservoirs			6782.49 AF					18.6 AF
Groundwater				3.34				8.47

Notice of Draft Proposed Final Orders to Reauthorize Minor Hydroelectric Project

The Department seeks public comments, on the following Draft Proposed Final Orders to reauthorize minor hydroelectric projects. Comments must be submitted within 60 days of publication of this notice.

The applications and Draft Proposed Final Orders may 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 documents, please contact Craig Kohanek at 503-979-3185. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e). **Comments must be received by the Oregon Water Resources Department by 5:00 pm, October 14, 2022.**

Application:	HE 260
Applicant:	Loyd Fery
Amount of water:	70 cubic feet per second (cfs)
Source of water:	North Santiam River, tributary to Santiam River
Points of Diversion:	SW ¼ SE 1/4 , Section 17, Township 9 South, Range 1 West, W.M.
Place of Use:	SW¼ NE 1/4 of Section 17, Township 9 South, Range 1 West, W.M.
Purpose:	Hydroelectric for onsite use and for sale to Utility
Power developed:	67.7 Theoretical horsepower

Comments and requests to obtain future notices are due by October 14, 2022

The Oregon Water Resource Department (OWRD) requests that parties interested in providing comments on the application or receiving future notices about the application and participating in the reauthorization process, contact Craig Kohanek at 503-979-3185 or Ron.c.kohanek@water.oregon.gov. Copies of this application are available upon request.

Notice of Draft Proposed Final Orders to Reauthorize Minor Hydroelectric Project

The Department seeks public comments, on the following Draft Proposed Final Orders to reauthorize minor hydroelectric projects. Comments must be submitted within 60 days of publication of this notice.

The applications and Draft Proposed Final Orders 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 document's, please contact Craig Kohanek at 503-986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e). **Comments must be received by the Oregon Water Resources Department by 5:00 pm, October 14 2022.**

Application:	HE 238
Applicant:	Victor "Ted" Birdseye
Amount of water:	3 cubic feet per second (cfs)
Source of water:	Buck Creek, Tributary to S. Fork Rogue River
Points of Diversion:	The points of diversion are located as follows: Upper Diversion: 900 FEET SOUTH AND 1500 FEET EAST FROM EAST ¼ CORNER OF SECTION 26, being within the NE ¼ SW ¼ SECTION 25, Lower Diversion: 200 FEET SOUTH AND 700 FEET EAST FROM EAST ¼ CORNER OF SECTION 26 being within the NW ¼ SW ¼ SECTION 25, Both within TOWNSHIP 33 SOUTH, RANGE 3 EAST, W.M.
Place of Use:	NE¼ NE¼ of Section 26, Township 33 South, Range 3 East, W.M.
Purpose:	Hydroelectric for onsite use
Power developed:	Up to 20 Theoretical Horsepower

The Oregon Water Resource Department (OWRD) requests that parties interested in providing comments on the application or receiving future notices about the application and participating in the reauthorization process, contact Craig Kohanek at 503-986-0823 or Ron.c.kohanek@oregon.gov Copies of this application are available upon request.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

August 16, 2022

Use this form to offer comments on water use requests or other items in this notice, or to order copies of proposed and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under 'View all Scanned Documents' use the "Submit a Public Comment" link.

Water Use Request Type & File Number

(e.g. "Permit Application G-12345" or "Transfer T-1234"):

Mail me the order

(payment enclosed)*

Your Name, Address, and Phone Number:

* We are required by law to charge a fee of \$35 to mail a copy of proposed and final orders on a pending permit or permit extension applications to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$35 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. Copies of proposed and final orders are also available for viewing (at no charge) at our Salem office, at the local watermaster office, or online.