

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
December 13, 2016

*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.
- * **Water Right Cancellations**
Abandonment of perfected and developed water rights and requests to cancel all or a portion of rights.
- * **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.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.
- * **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.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.
- * **Hells Canyon Hydroelectric Project**
The State Hydroelectric Application Review Team has prepared its Second Unified State Position on the relicensing of this Project. A draft proposed final order and a draft proposed water right certificate are included for comments. DEQ has concurrently released a proposed water quality certification for public review.

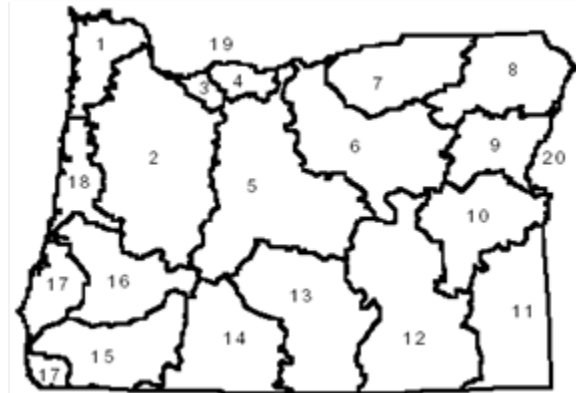
The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to Marissa.L.Andrews@oregon.gov.

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
construction | IR: Irrigation | RC: Recreation |
| FI: Fish | IS: Irrigation, supplemental | RW: Road |
| FP: Fire protection | LV: Livestock | TC: Temperature control |
| FW: Fish & wildlife | LW: Livestock & wildlife | WI: Wildlife |
| | MI: Mining | GD: Group domestic |

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, January 12, 2017. 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 \$25. (Any person paying \$25 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, January 27, 2017.

The protest filing fee is \$350 for the applicants and \$700 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 \$200 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$500 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-88310
County/Basin	Benton / Willamette(2)
Applicant Name	O O AGRICULTURAL INVESTMENT CO. LLC ATTN: TODD SMITH PO BOX 824 CORVALLIS, OR 97339
Sources/TRSQ40Q160	MUDDY CREEK > WILLAMETTE RIVER / 13.00S 5.00W 6 NWSW RUNOFF > WILLAMETTE RIVER / 13.00S 5.00W 6 NWSW
Use/Quantity	MULTIPLE PURPOSE / 100 AF
Priority Date	10/28/2016
Stage/Status	IR / PROPOSE TO APPROVE

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 \$25.00 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-1678](#)
County/Basin Jackson / Rogue(15)
Applicant Name KIRSCHNER, ROB
700 SW TAYLOR ST, SUITE 200
PORTLAND, OR 97205
Priority Date 11/04/2016
Issue Date 12/12/2016
Status APPROVED

App# [LL-1679](#)
County/Basin Linn / Willamette(2)
Applicant Name RUBIN, JARED
PO BOX 10148
EUGENE, OR 97440-2148
Priority Date 11/14/2016
Issue Date 12/12/2016
Status APPROVED

App# [R-88215](#)
County/Basin Josephine / Rogue(15)
Applicant Name MCEWEN, JOY
PO BOX 291
CAVE JUNCTION, OR 97523
Priority Date 04/20/2016
Issue Date 12/02/2016
Status APPROVED

App# [R-88236](#)
County/Basin Clackamas / Willamette(2)
Applicant Name MCCUNE, BEN
20454 S GEIGER RD
OREGON CITY, OR 97045
Priority Date 05/31/2016
Issue Date 12/07/2016
Status APPROVED

App# [R-88270](#)
County/Basin Linn / Willamette(2)
Applicant Name MILLER, TODD
11895 NOBLE LANE SE
AUMSVILLE, OR 97325
Priority Date 07/28/2016
Issue Date 12/06/2016
Status APPROVED

App# [R-88275](#)
County/Basin Yamhill / Willamette(2)
Applicant Name TORCHIA, STEVEN
8365 DALLAS ST
LA MESA, CA 91942
Priority Date 08/10/2016
Issue Date 12/02/2016
Status APPROVED

App# [S-88210](#)
County/Basin Yamhill / Willamette(2)
Applicant Name GOFFENA, STEVEN M. AND ROSALBA
16005 SW INVERURIE RD
LAKE OSWEGO, OR 97035
Priority Date 04/15/2016
Issue Date 12/02/2016
Status APPROVED

App# [S-88247](#)
County/Basin Lane / Willamette(2)
Applicant Name TOWLE, BRUCE AND SHARON DIANE
90536 TERRITORIAL RD
JUNCTION CITY, OR 97448
Priority Date 06/20/2016
Issue Date 12/02/2016
Status APPROVED

App# [S-88252](#)
County/Basin Douglas / Umpqua(16)
Applicant Name BENTLEY, CINDY
875 INDIAN BEND RD
UMPQUA, OR 97486
Priority Date 06/30/2016
Issue Date 12/06/2016
Status APPROVED

Water Right Cancellations

ORS 540.621 authorizes the Director to issue an order canceling a perfected and developed water right whenever the owner certifies under oath that the right has been abandoned and requests a cancellation of the right.

The Department has received affidavits from owners of land to which a water right is appurtenant stating the owner has abandoned the water right, and requesting that the Department cancel portions of the right appurtenant to the land.

The Department proposes to issue orders cancelling all or a portion of the following water right(s):

County/Basin	Crook / 5
Certificate	83571; 76714
Priority Date	10/31/1900 & 2/28/1913; 2-28-1913
Source	The Deschutes River, tributary to the Columbia River
Landowners	City of Redmond; Harrington, Richard Vicki; JD Neel Construction, Inc; Beutz, Thomas & Carol, Trustees of the Thomas and Carl Beutz Trust; Palmer FH, LLC
Address	716 SW Evergreen Ave, Redmond, OR 97756; 9701 SE Johnson Creek Blvd, Happy Valley, OR 97086; 5250 NW Greenwood Ave, Redmond, OR 97756; 3443 SW 47th St, Redmond, OR 97756; 2170 NE 8th St, Bend, OR 97701
Use	Irrigation; Supplemental Irrigation
Quantity	0.03CFS
Acres	1
Location	T15S, R13E, 30, SWNE, Tax Lots 100, 200, 300, 400, 500

**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 January 12, 2017. 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 \$25 (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-13424](#)
Permit Number G-12089
County/Basin Curry / South Coast(17)
Applicant Name DOUGHERTY, JAMES
PO BOX 316
SIXES, OR 97476
Sources/TRSQ40Q160 SUMP WELL 1 > SIXES RIVER / 32.00S 15.00W 15 SWNW
TWO SUMP WELLS > SIXES RIVER / 32.00S 15.00W 15 SENW
Use/Quantity AGRICULTURE USES / 0.110 CFS
AGRICULTURE USES / 0.110 CFS
AGRICULTURE USES / 0.110 CFS
Proposed Completion Date 10/01/2022

App# [G-14666](#)
Permit Number G-13489
County/Basin Coos / South Coast(17)
Applicant Name GANT, GARY
GANT, STEVE
PO BOX 1587
BANDON, OR 97411
Sources/TRSQ40Q160 TWO WELLS > JOHNSON CREEK / 29.00S 14.00W 8 NENW
A WELL > JOHNSON CREEK / 29.00S 14.00W 8 NWNE
Use/Quantity CRANBERRY / 0.17 CFS
Proposed Completion Date 10/01/2019

App# [S-87163](#)
Permit Number S-54507
County/Basin Josephine / Rogue(15)
Applicant Name SMITH, RICHARD A. AND RENEE
7823 WILLIAMS HWY
GRANTS PASS, OR 97527
Sources/TRSQ40Q160 APPLGATE RESERVOIR > APPLGATE RIVER / 40.00S 4.00W 25 SESE
APPLGATE RIVER > ROGUE RIVER / 37.00S 5.00W 20 NENW
Use/Quantity IRRIGATION / 6.930 AF
Proposed Completion Date 10/01/2017

App# [G-17036](#)
Permit Number G-17224
County/Basin Grant / John Day(6)
Applicant Name RIGGS, JEFFERY S. ANDBARBARA E F
PO BOX 122
DAYVILLE, OR 97825
Sources/TRSQ40Q160 TWOWELLS > LITTLE BEECH CREEK / 13.00S 31.00E 10 NENE
Use/Quantity IRRIGATION / 1.25 CFS
Proposed Completion Date 10/01/2022

App# [G-17294](#)
Permit Number G-17653
County/Basin Yamhill / Willamette(2)
Applicant Name CARLTON NURSERY CO. LLC
PO BOX 398
DAYTON, OR 97114
Sources/TRSQ40Q160 A WELL > WARNER CREEK BASIN / 5.00S 3.00W 16 NWNW
A WELL > WARNER CREEK BASIN / 5.00S 3.00W 8 SESE
A WELL > WARNER CREEK BASIN / 5.00S 3.00W 9 NWSW
Use/Quantity NURSERY USES / 0.56 CFS
Proposed Completion Date 10/01/2019

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 January 12, 2017. 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 12530
Water Right	Cert:47610
County/Basin	Klamath / Klamath(14)
Applicant Name	NIESLANIK, ROBERT R. 35429 MCCARTIE LN BONANZA, OR 97623
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > LOST RIVER / 39.00S 11.00E 12 NWNW
Use/Quantity	IRRIGATION / 1.470 CFS
Priority Date	05/10/1976

Transfer Preliminary Determinations

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$700 protest fee for non-applicant and \$350.00 protest fee for applicant. A Water Right Transfer Protest Form is available at <http://www.oregon.gov/OWRD/PUBS/forms.shtml> or by calling 503-986-0807. Protests must be received by the Department on or before January 12, 2017, or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

T-12373 filed by the Capra Company LLC, P.O. Box 2340, Windsor, CA 95492, proposes a change in character of use under Certificate 39282. The right allows for the storage of 1.0 acre-foot from Stevens Reservoir in Sec. 10, T7S, R4W, WM for stock use. The applicant proposes to change the character of use to multi-purpose storage. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

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.

If under the file number the “App:” abbreviation for application is provided then any person owning an application, permit or water right certificate subsequent in priority to a certificate listed here may file a protest within three months of issuance of the certificate. See Oregon Revised Statutes 537.260. Rules governing protests are in Oregon Administrative Rules Chapter 690 division 002. Any protest must be accompanied by a protest fee of \$700. (ORS 536.050(1)(j)(A)).

Cert#	91975
Xfer:	T 10109
County/Basin	Harney / Malheur Lake(12)
Applicant Name	BLACKBURN, JETT C.; SOD HOUSE FARMS SOD HOUSE FARMS
Priority Date	10/16/1968
Issue Date	12/09/2016
Cert#	92007
Xfer:	T 8379
County/Basin	Wheeler / John Day(6)
Applicant Name	BOND LIVING TRUST STEVE CHARRON SEPARATE PROPERTY TRUST
Priority Date	12/31/1865
Issue Date	12/09/2016
Cert#	92008
Xfer:	T 8731
County/Basin	Gilliam / John Day(6)
Applicant Name	CITY OF CONDON
Priority Date	07/07/1922
Issue Date	12/09/2016
Cert#	92009
Xfer:	T 11410
County/Basin	Jackson / Rogue(15)
Applicant Name	DEL RIO VINEYARDS LLC
Priority Date	06/18/1970
Issue Date	12/09/2016
Cert#	92025
App:	G 14906
County/Basin	Clackamas / Willamette(2)
Applicant Name	FITZPATRICK, DONNA V. FITZPATRICK, THOMAS F.
Priority Date	01/07/1999
Issue Date	12/09/2016
Cert#	92027
App:	S 83594
County/Basin	Clackamas / Willamette(2)
Applicant Name	FITZPATRICK, DONNA V. FITZPATRICK, THOMAS F.
Priority Date	11/04/1997
Issue Date	12/09/2016

Cert# [92026](#)
 App: G 14632
 County/Basin Clackamas / Willamette(2)
 Applicant Name FITZPATRICK, THOMAS F.
 FITZPATRICK, DONNA V.
 Priority Date 11/04/1997
 Issue Date 12/09/2016

Cert# [91883](#)
 Xfer: T 11698
 County/Basin Jackson / Rogue(15)
 Applicant Name LIND, DEBRA M.; PHILIP C AND DEBRA M LIND FAMILY TRUST
 LIND, PHILIP C.; PHILIP C AND DEBRA M LIND FAMILY TRUST
 PHILIP C AND DEBRA M LIND FAMILY TRUST
 Priority Date 12/31/1866
 Issue Date 12/09/2016

Cert# [91882](#)
 Xfer: T 11620
 County/Basin Jackson / Rogue(15)
 Applicant Name LIND, ROGER
 Priority Date 12/31/1866
 Issue Date 12/09/2016

Cert# [91970](#)
 Xfer: T 11345
 County/Basin Lake / Goose & Summer Lake(13)
 Applicant Name PEILA, JOHN
 Priority Date 08/07/1962
 Issue Date 12/09/2016

Cert# [91971](#)
 Xfer: T 11345
 County/Basin Lake / Goose & Summer Lake(13)
 Applicant Name PEILA, JOHN
 Priority Date 04/26/1974
 Issue Date 12/09/2016

Cert# [92010](#)
 Xfer: T 10010
 County/Basin Columbia / North Coast(1)
 Applicant Name PORTLAND GENERAL ELECTRIC CO.
 Priority Date 08/03/1970
 Issue Date 12/09/2016

Cert# [91889](#)
 Xfer: T 11246
 County/Basin Klamath / Klamath(14)
 Applicant Name PROCK, RAY
 Priority Date 04/08/1969
 Issue Date 12/09/2016

Cert# [91890](#)
 Xfer: T 11246
 County/Basin Klamath / Klamath(14)
 Applicant Name PROCK, RAY
 Priority Date 05/25/1977
 Issue Date 12/09/2016

Cert# [92020](#)
 App: R 83573
 County/Basin Morrow / Umatilla(7)
 Applicant Name R S THOMPSON TRUST
 Priority Date 03/07/1997
 Issue Date 12/09/2016

Cert# [92014](#)
 App: R 83571
 County/Basin Morrow / Umatilla(7)
 Applicant Name R S THOMPSON TRUST
 THOMPSON, TERRY E.; R S THOMPSON TRUST
 Priority Date 03/07/1997
 Issue Date 12/09/2016

Cert# [91924](#)
 Xfer: T 6821
 County/Basin Deschutes / Deschutes(5)
 Applicant Name RIMROCK WATER IMPROVEMENT DISTRICT
 Priority Date 07/19/1917
 Issue Date 12/09/2016

Cert# [91893](#)
 Xfer: T 10468
 County/Basin Clackamas / Willamette(2)
 Applicant Name SAH-HAH-LEE GOLF COURSE
 Priority Date 07/01/1940
 Issue Date 12/09/2016

Cert# [91974](#)
 Xfer: T 8205
 County/Basin Harney / Malheur Lake(12)
 Applicant Name SINGHOSE, KELLY
 SINGHOSE, TRAVIS
 Priority Date 10/09/1956
 Issue Date 12/09/2016

Cert# [91972](#)
 Xfer: T 8501
 County/Basin Wheeler / John Day(6)
 Applicant Name SLIFER, CLEO C.
 SLIFER, RANDALL R.
 Priority Date 12/31/1905
 Issue Date 12/09/2016

Cert# [91918](#)
 Xfer: T 9358
 County/Basin Lake / Goose & Summer Lake(13)
 Applicant Name SMITH, MARK; HARMONY LAKE RANCH
 HARMONY LAKE RANCH
 Priority Date 10/02/1969
 Issue Date 12/09/2016

Cert# [92013](#)
 App: R 82053
 County/Basin Morrow / Umatilla(7)
 Applicant Name THOMPSON, TERRY E.
 Priority Date 03/07/1997
 Issue Date 12/09/2016

Cert# [92019](#)
App: R 83574
County/Basin Morrow / Umatilla(7)
Applicant Name THOMPSON, TERRY E.
Priority Date 03/07/1997
Issue Date 12/09/2016

Cert# [92018](#)
App: R 83575
County/Basin Morrow / Umatilla(7)
Applicant Name THOMPSON, TERRY E.
Priority Date 03/07/1997
Issue Date 12/09/2016

Cert# [92017](#)
App: R 83576
County/Basin Morrow / Umatilla(7)
Applicant Name THOMPSON, TERRY E.
Priority Date 03/07/1997
Issue Date 12/09/2016

Cert# [92016](#)
App: R 83577
County/Basin Morrow / Umatilla(7)
Applicant Name THOMPSON, TERRY E.
Priority Date 03/07/1997
Issue Date 12/09/2016

Cert# [92012](#)
App: R 83570
County/Basin Morrow / Umatilla(7)
Applicant Name THOMPSON, TERRY E.
Priority Date 03/07/1997
Issue Date 12/09/2016

Cert# [92021](#)
App: R 84876
County/Basin Columbia / North Coast(1)
Applicant Name WISWALL, ED; TIDE CREEK RANCH LLC
TIDE CREEK RANCH LLC
Priority Date 09/10/2001
Issue Date 12/09/2016

Cert# [92023](#)
App: R 84877
County/Basin Columbia / North Coast(1)
Applicant Name WISWALL, ED; TIDE CREEK RANCH LLC
TIDE CREEK RANCH LLC
Priority Date 09/10/2001
Issue Date 12/09/2016

Cert# [92024](#)
App: R 84878
County/Basin Columbia / North Coast(1)
Applicant Name WISWALL, ED; TIDE CREEK RANCH LLC
TIDE CREEK RANCH LLC
Priority Date 09/10/2001
Issue Date 12/09/2016

Cert# [92022](#)
App: R 84875
County/Basin Columbia / North Coast(1)
Applicant Name WISWALL, ED; TIDE CREEK RANCH LLC
TIDE CREEK RANCH LLC
Priority Date 09/10/2001
Issue Date 12/09/2016

Cert# [92015](#)
App: R 83578
County/Basin Morrow / Umatilla(7)
Applicant Name THOMPSON, TERRY E.
Priority Date 03/07/1997
Issue Date 12/09/2016

Cert# [91887](#)
App: R 39361
County/Basin Harney / Malheur Lake(12)
Applicant Name U.S. BUREAU OF LAND MANAGEMENT
Priority Date 01/06/1964
Issue Date 12/09/2016

Cert# [91973](#)
Xfer: T 11374
County/Basin Benton / Willamette(2)
Applicant Name VITAL FARMLAND LP
Priority Date 04/02/1969
Issue Date 12/09/2016

SECOND UNIFIED STATE POSITION
Hells Canyon Complex Hydroelectric Project
Oregon State Water Rights
HE 161, HE 188 and HE 189

Oregon Water Resources Department (OWRD) seeks public comment on the Second Unified State Position (SUSP) concerning the relicensing of the Hells Canyon Complex Hydroelectric Project. Oregon law requires state agencies to conduct a coordinated review of hydroelectric projects seeking federal license and state water right renewal. The coordinated review is conducted by OWRD and other affected state agencies referred to as the Hydroelectric Application Review Team (HART).

In addition to OWRD, the HART for this Project includes the Oregon Department of Environmental Quality (ODEQ), Oregon Department of Fish and Wildlife (ODFW), Oregon Parks and Recreation Department (OPRD), Oregon State Marine Board, and the Oregon Department of State Lands.

The SUSP includes: proposed recommendations to the Federal Energy Regulatory Commission (FERC) for mitigation measures to be included in a FERC license, a draft proposed final order to reauthorize the water rights, and a draft water right certificate. Section 10(j) recommendations, terms and conditions were provided to FERC in January 2006. The proposed water quality certification is available at the following link: <http://www.deq.state.or.us/wq/sec401cert/hydro.htm>.

The SUSP documents are available at this link:

<http://filepickup.wrd.state.or.us/files/uploads/Hells%20Canyon%20Reauthorization%20Documents/>

Comments on these documents must be received by the Department by **February 13, 2017**.

Project Name:	Hells Canyon Complex Hydroelectric Project
County:	Wallowa, Baker
Stream and Basin:	Snake River
State License Numbers:	HE 161, HE 188, HE 189
State Expiration Dates:	December 31, 2017
FERC Docket Number:	p-1971

Project Description: The Hells Canyon Hydroelectric Project is located on the Oregon-Idaho border of the Snake River. The Project consists of a three-dam complex with associated reservoirs and powerhouses constructed from 1957-1967. These dams are Brownlee, Oxbow and Hells Canyon. The Project lies 45 miles east of Baker City, Oregon, 20 miles northwest of Cambridge, Idaho, and 90 miles northwest of Boise, Idaho.

The State will consider comments received when revising and submitting the Final Unified State Position to FERC at the time that ODEQ finalizes its decision on the water quality certification under the Clean Water Act.

Please send comments on this SUSP, including the draft proposed final order on the reauthorization of water rights HE 161, 188, and 189 to:

Mary Graine
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301
or email to
Mary.S.Grainey@wrд.state.or.us

Comments must be received by 5:00 p.m. on, **February 13, 2017.**

Oregon Department of Environmental Quality has concurrently issued a proposed water quality certification for the relicensing of the Hells Canyon Complex Hydroelectric Project. Comments are also due by February 13, 2017. Information on the DEQ public meeting and hearing are available with the proposed certification documents at the following link:

<http://www.deq.state.or.us/wq/sec401cert/hydro.htm> .

Public meeting and hearing

DEQ has scheduled a public meeting and hearing to provide public opportunity to discuss and comment on the proposed water quality certification.

When: Monday January 9, 2017, 2 P.M.

Where: The informational meeting and public hearing will be held concurrently, via conference line at

**Portland State Office Building
800 NE Oregon Street Suite 1A
Portland, OR 97232**

**DEQ Offices
800 SE Emigrant, #330
Pendleton, OR 97801**

And,

**Baker County Courthouse
Commission Chambers, 1st Floor
1995 Third St. Baker City, OR 97814**

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
December 13, 2016

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)*

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Your Name, Address, and Phone Number:

* We are required by law to charge a fee of \$25 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 \$25 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.