

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 12, 2019

*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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **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 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.
- * **Hydroelectric Project Public Meeting**

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 Tonya.L.Miller@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

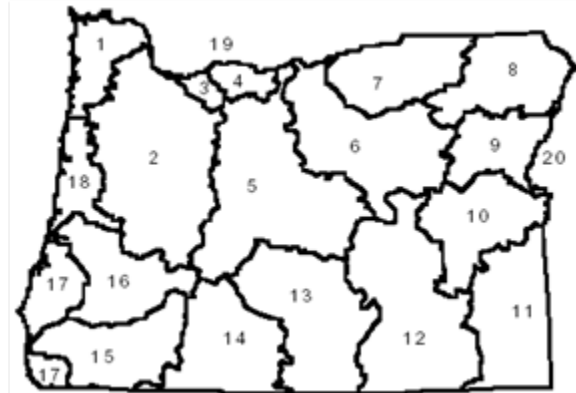
Unit of measure:

- 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, December 12, 2019. 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 \$30. (Any person paying \$30 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, December 27, 2019.

The protest filing fee is \$410 for the applicants and \$810 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 \$230 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$580 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#	G-18790
County/Basin	Crook / Deschutes (5)
Applicant Name	WEISNER, JOHN 155 NE WEBSTER AVE BEND, OR 97701
Sources/TRSQ40Q160	A WELL > YANK GULCH / 20.00S 20.00E 12 SENE
Use/Quantity	IRRIGATION / 0.180 CFS
Priority Date	02/07/2019
Stage/Status	IR / 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 \$30.00 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#	G-18580
County/Basin	Jackson / Rogue (15)
Applicant Name	HANSCOM, HAROLD J. AND TERRY PO BOX 2033 WHITE CITY, OR 97503
Priority Date	11/13/2017
Issue Date	11/05/2019
Status	WITHDRAWN

Alternate Reservoir Applications (ORS 537.409)

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

Such comments must be submitted on or before January 11, 2020.

App# [R-88748](#)
County/Basin Lane / Willamette (2)
Applicant Name LERCH, BRADLEY AND SUSAN
28718 ROYAL AVE
EUGENE, OR 97402
Sources/TRSQ40Q160 RUNOFF > FERN RIDGE RESERVOIR / 17.00S 4.00W 30 NWNE
Use/Quantity MULTIPLE PURPOSE / 6.240 AF
Priority Date 10/24/2019

App# [R-88775](#)
County/Basin Douglas / Umpqua (16)
Applicant Name MAST, JARED
19678 LOWER SMITH RIVER RD
REEDSPORT, OR 97467
Sources/TRSQ40Q160 A STREAM > SMITH RIVER / 20.00S 9.00W 31 NWNE
Use/Quantity MULTIPLE PURPOSE / 20.000 AF
Priority Date 11/04/2019

Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$25. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate watermaster district office.

Extension of Time Public Notice and Comment Procedures

Written comments on or written protests against a PFO must be submitted on or before December 27, 2019. There is no fee for submission of comments. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

1.) OAR-690-315

App#	G-17021
Permit#	G-16618
County/Basin	Morrow / Umatilla (7)
Applicant Name	JOHN F FLYNN REVOCABLE LIVING TRUST 67117 CONDON HWY HEPPNER, OR 97836
Sources/TRSQ40Q160	A WELL > RHEA CREEK BASIN / 2.00S 24.00E 14 NESE A WELL > RHEA CREEK BASIN / 2.00S 24.00E 24 NWNW
Use/Quantity	IRRIGATION / 3.000 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 December 12, 2019. 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-13280
Water Right	Cert: 92375 CR
County/Basin	Klamath / Klamath (14)
Applicant Name	STEIMIE, ERIK SWAN LAKE NORTH HOLDINGS LLC 220 NW 8TH AVE PORTLAND, OR 97209
Proposed Change	PLACE OF USE, USE
Sources/TRSQ40Q160	A WELL > SWAN LAKE BASIN / 37.00S 10.00E 9 SWSE A WELL > SWAN LAKE BASIN / 37.00S 10.00E 8 SWSW A WELL > SWAN LAKE BASIN / 37.00S 10.00E 8 SWNE
Use/Quantity	IRRIGATION / 13.540 CFS
Priority Date	03/03/1977

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	DIN 19-02
County	Jackson
Certificate	85288; 80576; 58576; 85877; 80575; 80577; ALL in the name of ROGUE RIVER VALLEY IRRIGATION DISTRICT; 83729 in the name of U.S. BUREAU OF RECLAMATION
Priority Date	07/23/1909; 09/06/1915; 03/31/1910; 06/24/1913; 6/24/1913; 5/10/1916; 06/08/1953; 09/06/1915
Name	ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address	3139 MERRIMAN ROAD MEDFORD, OR 97501
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	NORTH AND SOUTH FORKS LITTLE BUTTE CREEK > LITTLE BUTTE CREEK; AGATE RESERVOIR AND DRY CREEK > LITTLE BUTTE CREEK; FOUR MILE LAKE RESERVOIR (WITHIN KLAMATH BASIN) AND FISH LAKE RESERVOIR > ROGUE RIVER; ANTELOPE CREEK > LITTLE BUTTE CREEK; BEAR CREEK > ROGUE RIVER; GRIFFIN AND JACKSON CREEKS > BEAR CREEK; EMIGRANT CREEK AND RES > BEAR CREEK, ETC. – SEE CERTIFICATE 83729 FOR 13 ADDITIONAL SOURCES
Acres:	49.20
Authorized POU:	T36S R2W 27 SWNW, NWSW, NESW, 28 SENE, NESE, SESW, 32 NWSE, SESW; T37S R2W 03 NWNW, SWNW, 04 NENE, NESE, 05 NENW, 13 NWNW, SWNW, SENW, NWSW
Proposed POU:	T36S R2W 27 SWNW, NWSW, SWSW, NWSE, 28 NESE,

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 Vale (Municipal)

To review any of the above progress report(s) or to provide comments on the progress report(s), contact Kerri H. Cope at 503-986-0919 or Kerri.H.Cope@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# [94728](#)
Xfer: T-12612
County/Basin Wheeler / John Day (6)
Applicant Name ALSCOTT ANTONE RANCH LLC
Priority Date 12/31/1887
Issue Date 11/12/2019

Cert# [94729](#)
Xfer: T-12612
County/Basin Wheeler / John Day (6)
Applicant Name ALSCOTT ANTONE RANCH LLC
Priority Date 12/31/1899
Issue Date 11/12/2019

Cert# [94730](#)
Xfer: T-12612
County/Basin Wheeler / John Day (6)
Applicant Name ALSCOTT ANTONE RANCH LLC
Priority Date 04/30/1954
Issue Date 11/12/2019

Cert# [94731](#)
Xfer: T-12612
County/Basin Wheeler / John Day (6)
Applicant Name ALSCOTT ANTONE RANCH LLC
Priority Date 10/16/1984
Issue Date 11/12/2019

Cert# [94732](#)
Xfer: T-12612
County/Basin Wheeler / John Day (6)
Applicant Name ALSCOTT ANTONE RANCH LLC
Priority Date 08/06/1986
Issue Date 11/12/2019

Cert# [94704](#)
App: G-16526
County/Basin Crook / Deschutes (5)
Applicant Name FIELDS, JON
Priority Date 09/07/2005
Issue Date 11/12/2019

Cert# [94683](#)
Xfer: T-12655
County/Basin Harney / Malheur Lake (12)
Applicant Name TOR S FARMS LLC
Priority Date 12/06/1977
Issue Date 11/07/2019

Notice of Open Comment Period
Public Hearing
Swan Lake North Hydroelectric Project

Monday, December 16, 2019, 7:00 p.m.
Oregon Institute of Technology
Mt Thielsen Room
3201 Campus Drive, Klamath Falls, OR

Comments on this application for a new hydroelectric project are requested from interested citizens, organizations, governmental entities, and other parties. Comments are requested on whether the impacts of this project are such that they might be cumulative with other proposed or existing projects in the Klamath basin. Requests for additional studies related to project impacts may also be submitted.

The application and supporting documents may be viewed at this link:

<http://filepickup.wrd.state.or.us/files/Uploads/Swan%20Lake%20North%20Hydroelectric%20Project/>.

Federal Energy Regulatory Commission (FERC) license at docket p-13318:

https://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20190430-3099

Comments may be submitted at the public hearing, or in writing to the Oregon Water Resources Department by **5 p.m. Monday, January 13, 2020**.

Application #: **HE 617** Klamath County
Applicant: Swan Lake North Hydro LLC
Address: 1050 SW 6th Avenue, Suite 1650, Portland OR 97204
Amount of water: Initial Fill 3,001 acre-feet – offset by forbearance of 1040.7 acres of irrigation use under Certificates 29530, 87006 and 92375
Annual maintenance water: 420 acre-feet - permanent transfer of 141.6 acres irrigation use to hydroelectric use, application **T-13280**
Source of water: Well #1 - Klam 2263, 660 feet North and 1690 feet West from SE Corner Section 9, being within the SW ¼ SE ¼ of Section 9
Well #2 - Klam 2259, 48 feet North and 20 feet East from SW Corner, Section 8, being within the SW ¼ SW ¼ of Section 8
Well #3 - Klam 2262, 2020 feet North and 500 feet East from SW Corner Section 8, being within the NW ¼ SW ¼ of Section 8,
Well #4 – Klam 2260, 3240 feet North and 2670 feet east from SW corner Section 8, being within the SW ¼ NE ¼ of Section 8.
all in Township 37 South, Range 10 East, W.M.
Upper Reservoir: Maximum Surface Area 64.21 acres and volume of 3,228 acre-feet in Section 3, Township 37 South, Range 10 East, W.M.
Lower Reservoir: Maximum Surface Area 60.14 acres and volume of 3,206 acre-feet
Powerhouse: Section 16, Township 37 South, Range 10 East, W.M.
Purpose: Hydroelectric power production of 1,187 gigawatt-hours/yr.
Plant Capacity: 631,300 Theoretical Horsepower or 393.3 MW

For Further Information Contact: Mary Grainey 503-986-0833.

Note: The services, programs and activities of the Water Resources Department are covered by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against persons with disabilities. The Department intends to comply with the ADA. If you are interested and need special accommodations to participate in the public hearing, please contact Mary Grainey at (503) 986-0833, at least 48 hours prior to the public meeting.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 12, 2019

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 \$30 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 \$30 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.