



3. Notice of the application for transfer was published on October 13, 2020, pursuant to OAR 690-380-4000. One comment was timely filed in response to the notice. The comment identified the potential for injury, due to the change in character of use. The comment also identified potential for injury due to loss in return flows or less aquifer recharge.
4. The comment regarding the potential for injury, due to the change in character of use, is addressed by placing a seasonal and annual volume limitation on the change. The other issues raised by the commenter do not directly address the criteria for review of a water right transfer as per OAR 690-380-4010 and approval of a transfer application under OAR 690-380-5000. The comments described in Finding of Fact (FOF) #3 raise public interest issues. Under Oregon Law, water right transfers are not subject to a public interest review. Rather, the statutory basis for approving a water right transfer application is relatively narrow and confined to the department finding or determining:
  - a) The water right proposed for transfer is a water use subject to transfer;
  - b) The portion of the water right proposed for transfer is not cancelled due to forfeiture for non-use pursuant to ORS 540.610;
  - c) The proposed transfer would not result in enlargement of the water right proposed for transfer; and
  - d) The proposed transfer would not result in injury to other water rights.
5. On January 30, 2023, the Department contacted the applicant by electronic correspondence, to inquire about the status of a point of appropriation identified as Hillview #4 (MORR 51714), which is a replacement of Well MORR 776.
6. On March 21, 2023, the Department received a revised Table 1 and map, which included Hillview #4 (MORR 51714) as a change in point of appropriation (POA) to replace Hillview #4 (MORR 776), as well as adding Well #B4 and Port Well #4 (MORR 1526) as APOAs.
7. On September 19, 2025, the Department mailed a copy of the draft Preliminary Determination (further referred to as Initial Review) proposing to approve Transfer Application T-13531 to the applicant. The Initial Review cover letter set forth a deadline of October 20, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination (further referred to as Proposed Final Order) and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On October 17, 2025, the Department received a request from the Applicant's agent, that the Port would like to extend the date for completion of the changes to October 1, 2039. Given the complexity of the project, needed financing, and required infrastructure improvements, as well as other water system construction commitments, the Port believes it will take multiple years to plan, permit, and obtain funding. The Department has determined that the additional time needed is acceptable pursuant to OAR 690-380-5140(3).

9. The right to be transferred is as follows:

**Certificate:** 93290 in the name of GLENN S. CHOWNING (perfected under Permit G-5953)

**Use:** IRRIGATION OF 98.75 ACRES

**Priority Date:** SEPTEMBER 12, 1975

**Rate:** 1.23 CUBIC FEET PER SECOND (CFS), IN ANY COMBINATION, BEING NO MORE THAN 0.57 CFS FROM DEEP WELL NO. 2 AND 1.23 CFS FROM HILLVIEW WELL NO. 4

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

**Source:** DEEP WELL NO. 2 AND HILLVIEW WELL NO. 4, in the JUNIPER CANYON BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	13	SW NE	DEEP WELL NO. 2 - 330 FEET NORTH AND 1310 FEET EAST FROM THE C1/4 CORNER OF SECTION 13
4 N	25 E	WM	13	SE NE	HILLVIEW WELL NO. 4 (ORIGINAL) - 3840 FEET NORTH AND 2440 FEET EAST FROM THE S1/4 CORNER OF SECTION 13

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	13	NE NE	4.30
4 N	25 E	WM	13	NW NE	29.40
4 N	25 E	WM	13	SW NE	34.50
4 N	25 E	WM	13	SE NE	6.90
4 N	25 E	WM	13	NE NW	6.50
4 N	25 E	WM	13	SE NW	8.40
4 N	25 E	WM	13	SW SE	1.40
4 N	25 E	WM	13	SE SE	7.35
Total					98.75

10. Transfer Application T-13531 proposes a change in point of appropriation for Hillview Well No. 4 (ORIGINAL), also identified as MORR 776, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in feet (ft.)
4 N	25 E	WM	13	SE NE	HILLVIEW #4 (MORR 51714) - 1479 FEET SOUTH AND 302 FEET WEST FROM THE NE CORNER OF SECTION 13	50 ft. NW

11. Transfer Application T-13531 also proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	1	SW NE		PORT WELL #B1 – 2390 FEET SOUTH AND 2100 FEET WEST FROM THE NE CORNER OF SECTION 1
4 N	25 E	WM	1	SW NE		PORT WELL #B2 – 2410 FEET SOUTH AND 2080 FEET WEST FROM THE NE CORNER OF SECTION 1
4 N	25 E	WM	1	SW NE		PORT WELL #B3 – 2410 FEET SOUTH AND 2120 FEET WEST FROM THE NE CORNER OF SECTION 1
4 N	25 E	WM	1	SW NE		PORT WELL #B4 – 2450 FEET SOUTH AND 2130 FEET WEST FROM THE NE CORNER OF SECTION 1
4 N	25 E	WM	2	SE NW	8	PORT WELL #C1 - 1410 FEET SOUTH AND 3450 FEET WEST FROM THE NE CORNER OF SECTION 2
4 N	25 E	WM	2	SE NW	8	PORT WELL #C2 - 1430 FEET SOUTH AND 3430 FEET WEST FROM THE NE CORNER OF SECTION 2
4 N	25 E	WM	2	SE NW	8	PORT WELL #C3 - 1430 FEET SOUTH AND 3470 FEET WEST FROM THE NE CORNER OF SECTION 2
4 N	25 E	WM	2	NE SE		PORT WELL #D1 - 2950 FEET SOUTH AND 600 FEET WEST FROM THE NE CORNER OF SECTION 2
4 N	25 E	WM	2	NE SE		PORT WELL #D2 - 2950 FEET SOUTH AND 580 FEET WEST FROM THE NE CORNER OF SECTION 2
4 N	25 E	WM	2	NE SE		PORT WELL #D3 - 2970 FEET SOUTH AND 620 FEET WEST FROM THE NE CORNER OF SECTION 2
4 N	25 E	WM	10	NE NE		PORT WELL #4 (MORR 1526) - 1211 FEET SOUTH AND 1257 FEET WEST FROM THE NE CORNER OF SECTION 10
4 N	25 E	WM	12	NW NE		PORT WELL #A1 - 100 FEET SOUTH AND 2700 FEET EAST FROM THE NW CORNER OF SECTION 12
4 N	25 E	WM	12	NW NE		PORT WELL #A2 - 120 FEET SOUTH AND 2720 FEET EAST FROM THE NW CORNER OF SECTION 12
4 N	25 E	WM	12	NW NE		PORT WELL #A3 - 120 FEET SOUTH AND 2680 FEET EAST FROM THE NW CORNER OF SECTION 12

Approximate distance from authorized POA (Deep Well No. 2) and proposed POA (Hillview #4 (MORR 51714) in miles (mi.)		
Well	Deep Well No. 2	Hillview Well No. 4
Port Well #A1	1.4 mi N	1.3 mi. NW
Port Well #A2	1.4 mi N	1.3 mi. NW
Port Well #A3	1.4 mi N	1.3 mi. NW
Port Well #B1	2.0 mi. N	1.9 mi. NW
Port Well #B2	2.0 mi. N	1.9 mi. NW
Port Well #B3	2.0 mi. N	1.9 mi. NW
Port Well #B4	2.0 mi. N	1.9 mi. NW
Port Well #C1	2.6 mi. NW	2.6 mi. NW
Port Well #C2	2.6 mi. NW	2.6 mi. NW
Port Well #C3	2.6 mi. NW	2.6 mi. NW
Port Well #D1	2.1 mi. NW	2.0 mi. NW
Port Well #D2	2.1 mi. NW	2.0 mi. NW
Port Well #D3	2.1 mi. NW	2.0 mi. NW
Port Well #4 (MORR 1526)	2.4 mi. NW	2.5 mi. NW

12. Transfer Application T-13531 also proposes to change the place of use of the right to be located within the Port of Morrow Service Boundary as follows:

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
4 N	25 E	WM	1	NE NE
4 N	25 E	WM	1	NW NE
4 N	25 E	WM	1	SW NE
4 N	25 E	WM	1	SE NE
4 N	25 E	WM	1	NE NW
4 N	25 E	WM	1	NW NW
4 N	25 E	WM	1	SW NW
4 N	25 E	WM	1	SE NW
4 N	25 E	WM	1	NE SW
4 N	25 E	WM	1	NW SW
4 N	25 E	WM	1	SW SW
4 N	25 E	WM	1	SE SW
4 N	25 E	WM	1	NE SE
4 N	25 E	WM	1	NW SE
4 N	25 E	WM	1	SW SE
4 N	25 E	WM	1	SE SE
4 N	25 E	WM	2	NE NE
4 N	25 E	WM	2	NW NE
4 N	25 E	WM	2	SW NE
4 N	25 E	WM	2	SE NE
4 N	25 E	WM	2	NE NW
4 N	25 E	WM	2	SW NW
4 N	25 E	WM	2	SE NW
4 N	25 E	WM	2	NE SW
4 N	25 E	WM	2	NW SW
4 N	25 E	WM	2	SW SW
4 N	25 E	WM	2	SE SW
4 N	25 E	WM	2	NE SE
4 N	25 E	WM	2	NW SE
4 N	25 E	WM	2	SW SE
4 N	25 E	WM	2	SE SE
4 N	25 E	WM	3	NE SW
4 N	25 E	WM	3	NW SW
4 N	25 E	WM	3	SW SW
4 N	25 E	WM	3	SE SW
4 N	25 E	WM	3	NE SE
4 N	25 E	WM	3	NW SE
4 N	25 E	WM	3	SW SE
4 N	25 E	WM	3	SE SE
4 N	25 E	WM	4	NE SW
4 N	25 E	WM	4	SE SW
4 N	25 E	WM	4	NE SE
4 N	25 E	WM	4	NW SE
4 N	25 E	WM	4	SW SE
4 N	25 E	WM	4	SE SE
4 N	25 E	WM	9	NE NE
4 N	25 E	WM	9	NW NE

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
4 N	25 E	WM	9	SW NE
4 N	25 E	WM	9	SE NE
4 N	25 E	WM	9	NE NW
4 N	25 E	WM	9	SE NW
4 N	25 E	WM	10	NE NE
4 N	25 E	WM	10	NW NE
4 N	25 E	WM	10	SW NE
4 N	25 E	WM	10	SE NE
4 N	25 E	WM	10	NE NW
4 N	25 E	WM	10	NW NW
4 N	25 E	WM	10	SW NW
4 N	25 E	WM	10	SE NW
4 N	25 E	WM	10	NE SW
4 N	25 E	WM	10	NW SW
4 N	25 E	WM	10	SW SW
4 N	25 E	WM	10	SE SW
4 N	25 E	WM	10	NE SE
4 N	25 E	WM	10	NW SE
4 N	25 E	WM	10	SW SE
4 N	25 E	WM	10	SE SE
4 N	25 E	WM	11	NE NE
4 N	25 E	WM	11	NW NE
4 N	25 E	WM	11	SW NE
4 N	25 E	WM	11	SE NE
4 N	25 E	WM	11	NE NW
4 N	25 E	WM	11	NW NW
4 N	25 E	WM	11	SW NW
4 N	25 E	WM	11	SE NW
4 N	25 E	WM	11	NE SW
4 N	25 E	WM	11	NW SW
4 N	25 E	WM	11	SW SW
4 N	25 E	WM	11	SE SW
4 N	25 E	WM	11	NE SE
4 N	25 E	WM	11	NW SE
4 N	25 E	WM	11	SW SE
4 N	25 E	WM	11	SE SE
4 N	25 E	WM	12	NE NE
4 N	25 E	WM	12	NW NE
4 N	25 E	WM	12	SW NE
4 N	25 E	WM	12	SE NE
4 N	25 E	WM	12	NE NW
4 N	25 E	WM	12	NW NW
4 N	25 E	WM	12	SW NW
4 N	25 E	WM	12	SE NW
4 N	25 E	WM	12	NE SW
4 N	25 E	WM	12	NW SW
4 N	25 E	WM	12	SW SW

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
4 N	25 E	WM	12	SE SW
4 N	25 E	WM	12	NE SE
4 N	25 E	WM	12	NW SE
4 N	25 E	WM	12	SW SE
4 N	25 E	WM	12	SE SE
4 N	25 E	WM	13	NE NE
4 N	25 E	WM	13	NW NE
4 N	25 E	WM	13	SW NE
4 N	25 E	WM	13	SE NE
4 N	25 E	WM	13	NE NW
4 N	25 E	WM	13	NW NW
4 N	25 E	WM	13	SW NW
4 N	25 E	WM	13	SE NW
4 N	25 E	WM	13	NE SW
4 N	25 E	WM	13	NW SW
4 N	25 E	WM	13	SW SW
4 N	25 E	WM	13	SE SW
4 N	25 E	WM	13	NE SE
4 N	25 E	WM	13	NW SE
4 N	25 E	WM	13	SW SE
4 N	25 E	WM	13	SE SE
4 N	25 E	WM	14	NE NE
4 N	25 E	WM	14	NW NE
4 N	25 E	WM	14	SW NE
4 N	25 E	WM	14	SE NE
4 N	25 E	WM	14	NE NW
4 N	25 E	WM	14	NW NW
4 N	25 E	WM	14	SW NW
4 N	25 E	WM	14	SE NW
4 N	25 E	WM	14	NE SW
4 N	25 E	WM	14	NW SW
4 N	25 E	WM	14	SW SW
4 N	25 E	WM	14	SE SW
4 N	25 E	WM	14	NE SE
4 N	25 E	WM	14	NW SE
4 N	25 E	WM	14	SW SE
4 N	25 E	WM	14	SE SE
4 N	25 E	WM	15	NE NE
4 N	25 E	WM	15	NW NE
4 N	25 E	WM	15	SW NE
4 N	25 E	WM	15	SE NE
4 N	25 E	WM	15	NE NW
4 N	25 E	WM	15	NW NW
4 N	25 E	WM	15	SW NW
4 N	25 E	WM	15	SE NW
4 N	25 E	WM	15	NE SW
4 N	25 E	WM	15	NW SW
4 N	25 E	WM	15	SW SW

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
4 N	25 E	WM	15	SE SW
4 N	25 E	WM	15	NE SE
4 N	25 E	WM	15	NW SE
4 N	25 E	WM	15	SW SE
4 N	25 E	WM	15	SE SE
4 N	25 E	WM	22	NE NE
4 N	25 E	WM	22	NW NE
4 N	25 E	WM	22	SW NE
4 N	25 E	WM	22	SE NE
4 N	25 E	WM	22	NE NW
4 N	25 E	WM	22	NW NW
4 N	25 E	WM	22	SW NW
4 N	25 E	WM	22	SE NW
4 N	25 E	WM	22	NE SW
4 N	25 E	WM	22	NW SW
4 N	25 E	WM	22	SW SW
4 N	25 E	WM	22	SE SW
4 N	25 E	WM	22	NE SE
4 N	25 E	WM	22	NW SE
4 N	25 E	WM	22	SW SE
4 N	25 E	WM	22	SE SE
4 N	25 E	WM	23	NE NE
4 N	25 E	WM	23	NW NE
4 N	25 E	WM	23	SW NE
4 N	25 E	WM	23	SE NE
4 N	25 E	WM	23	NE NW
4 N	25 E	WM	23	NW NW
4 N	25 E	WM	23	SW NW
4 N	25 E	WM	23	SE NW
4 N	25 E	WM	23	NE SW
4 N	25 E	WM	23	NW SW
4 N	25 E	WM	23	SW SW
4 N	25 E	WM	23	SE SW
4 N	25 E	WM	23	NE SE
4 N	25 E	WM	23	NW SE
4 N	25 E	WM	23	SW SE
4 N	25 E	WM	23	SE SE
4 N	25 E	WM	24	NE NE
4 N	25 E	WM	24	NW NE
4 N	25 E	WM	24	SW NE
4 N	25 E	WM	24	SE NE
4 N	25 E	WM	24	NE NW
4 N	25 E	WM	24	NW NW
4 N	25 E	WM	24	SW NW
4 N	25 E	WM	24	SE NW
4 N	25 E	WM	24	NE SW
4 N	25 E	WM	24	NW SW
4 N	25 E	WM	24	SW SW

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
4 N	25 E	WM	24	SE SW
4 N	25 E	WM	24	NE SE
4 N	25 E	WM	24	NW SE
4 N	25 E	WM	24	SW SE
4 N	25 E	WM	24	SE SE
4 N	26 E	WM	3	NW NW
4 N	26 E	WM	4	NE NE
4 N	26 E	WM	4	NW NE
4 N	26 E	WM	4	SW NE
4 N	26 E	WM	4	SE NE
4 N	26 E	WM	4	NE NW
4 N	26 E	WM	4	NW NW
4 N	26 E	WM	4	SW NW
4 N	26 E	WM	4	SE NW
4 N	26 E	WM	4	NE SW
4 N	26 E	WM	4	NW SW
4 N	26 E	WM	4	SW SW
4 N	26 E	WM	4	SE SW
4 N	26 E	WM	4	NE SE
4 N	26 E	WM	4	NW SE
4 N	26 E	WM	4	SW SE
4 N	26 E	WM	4	SE SE
4 N	26 E	WM	5	NE NE
4 N	26 E	WM	5	NW NE
4 N	26 E	WM	5	SW NE
4 N	26 E	WM	5	SE NE
4 N	26 E	WM	5	NE NW
4 N	26 E	WM	5	NW NW
4 N	26 E	WM	5	SW NW
4 N	26 E	WM	5	SE NW
4 N	26 E	WM	5	NE SW
4 N	26 E	WM	5	NW SW
4 N	26 E	WM	5	SW SW
4 N	26 E	WM	5	SE SW
4 N	26 E	WM	5	NE SE
4 N	26 E	WM	5	NW SE
4 N	26 E	WM	5	SW SE
4 N	26 E	WM	5	SE SE
4 N	26 E	WM	6	NE NE
4 N	26 E	WM	6	NW NE
4 N	26 E	WM	6	SW NE
4 N	26 E	WM	6	SE NE
4 N	26 E	WM	6	NE NW
4 N	26 E	WM	6	NW NW
4 N	26 E	WM	6	SW NW
4 N	26 E	WM	6	SE NW
4 N	26 E	WM	6	NE SW
4 N	26 E	WM	6	NW SW

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
4 N	26 E	WM	6	SW SW
4 N	26 E	WM	6	SE SW
4 N	26 E	WM	6	NE SE
4 N	26 E	WM	6	NW SE
4 N	26 E	WM	6	SW SE
4 N	26 E	WM	6	SE SE
4 N	26 E	WM	7	NE NE
4 N	26 E	WM	7	NW NE
4 N	26 E	WM	7	SW NE
4 N	26 E	WM	7	SE NE
4 N	26 E	WM	7	NE NW
4 N	26 E	WM	7	NW NW
4 N	26 E	WM	7	SW NW
4 N	26 E	WM	7	SE NW
4 N	26 E	WM	7	NE SW
4 N	26 E	WM	7	NW SW
4 N	26 E	WM	7	SW SW
4 N	26 E	WM	7	SE SW
4 N	26 E	WM	7	NE SE
4 N	26 E	WM	7	NW SE
4 N	26 E	WM	7	SE SE
4 N	26 E	WM	8	NE NE
4 N	26 E	WM	8	NW NE
4 N	26 E	WM	8	SW NE
4 N	26 E	WM	8	SE NE
4 N	26 E	WM	8	NE NW
4 N	26 E	WM	8	NW NW
4 N	26 E	WM	8	SW NW
4 N	26 E	WM	8	SE NW
4 N	26 E	WM	8	NE SW
4 N	26 E	WM	8	NW SW
4 N	26 E	WM	8	SW SW
4 N	26 E	WM	8	SE SW
4 N	26 E	WM	8	NE SE
4 N	26 E	WM	8	NW SE
4 N	26 E	WM	8	SW SE
4 N	26 E	WM	8	SE SE
4 N	26 E	WM	9	NE NE
4 N	26 E	WM	9	NW NE
4 N	26 E	WM	9	SW NE
4 N	26 E	WM	9	SE NE
4 N	26 E	WM	9	NE NW
4 N	26 E	WM	9	NW NW
4 N	26 E	WM	9	SW NW
4 N	26 E	WM	9	SE NW
4 N	26 E	WM	9	NE SW
4 N	26 E	WM	9	NW SW
4 N	26 E	WM	9	SW SW

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
4 N	26 E	WM	9	SE SW
4 N	26 E	WM	9	NE SE
4 N	26 E	WM	9	NW SE
4 N	26 E	WM	9	SW SE
4 N	26 E	WM	9	SE SE
4 N	26 E	WM	18	NE NW
4 N	26 E	WM	18	NW NW
4 N	26 E	WM	18	SW NW
4 N	26 E	WM	18	SE NW
5 N	26 E	WM	31	NE NE
5 N	26 E	WM	31	NW NE
5 N	26 E	WM	31	SW NE
5 N	26 E	WM	31	SE NE
5 N	26 E	WM	31	NE NW
5 N	26 E	WM	31	SW NW
5 N	26 E	WM	31	SE NW
5 N	26 E	WM	31	NE SW
5 N	26 E	WM	31	NW SW
5 N	26 E	WM	31	SW SW
5 N	26 E	WM	31	SE SW
5 N	26 E	WM	31	NE SE
5 N	26 E	WM	31	NW SE
5 N	26 E	WM	31	SW SE
5 N	26 E	WM	31	SE SE
5 N	26 E	WM	32	NE NE
5 N	26 E	WM	32	NW NE
5 N	26 E	WM	32	SW NE
5 N	26 E	WM	32	SE NE

MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
5 N	26 E	WM	32	NE NW
5 N	26 E	WM	32	NW NW
5 N	26 E	WM	32	SW NW
5 N	26 E	WM	32	SE NW
5 N	26 E	WM	32	NE SW
5 N	26 E	WM	32	NW SW
5 N	26 E	WM	32	SW SW
5 N	26 E	WM	32	SE SW
5 N	26 E	WM	32	NE SE
5 N	26 E	WM	32	NW SE
5 N	26 E	WM	32	SW SE
5 N	26 E	WM	32	SE SE
5 N	26 E	WM	33	NE NE
5 N	26 E	WM	33	NW NE
5 N	26 E	WM	33	SW NE
5 N	26 E	WM	33	SE NE
5 N	26 E	WM	33	NE NW
5 N	26 E	WM	33	NW NW
5 N	26 E	WM	33	SW NW
5 N	26 E	WM	33	SE NW
5 N	26 E	WM	33	NE SW
5 N	26 E	WM	33	NW SW
5 N	26 E	WM	33	SW SW
5 N	26 E	WM	33	SE SW
5 N	26 E	WM	33	NE SE
5 N	26 E	WM	33	NW SE
5 N	26 E	WM	33	SW SE
5 N	26 E	WM	33	SE SE

13. Transfer Application T-13531 proposes to change the character of use to Municipal Uses.
14. Certificate 93290 does not specify the irrigation season. Nor is an irrigation season specified by Basin Program or Decree. Consistent with OAR 690-250-0070, the irrigation season is March 1 through October 31.
15. The use of water for the proposed municipal uses is limited to 1.23 cfs, and shall be further limited to a total volume of water diverted of 296.25 Acre-Feet (AF) (3.0 AF per acre x 98.75 acres = 296.25 AF), March 1 through October 31.

***Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), OAR 690-380-2110(2), 690-380-2200, and 690-380-2300]***

16. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

17. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13531.
18. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
19. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
20. The proposed changes, as conditioned, would not result in enlargement of the right.
21. The proposed changes, as conditioned, would not result in injury to other existing water rights.
22. All other application requirements are met.

***Partial Cancellation of a Water Right***

23. On July 31, 2025, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Terra Poma Land Co., LLC and Glenn S. Chowning. The right to be cancelled is as follows:

**Certificate:** 93292 in the name of TERRA POMA LAND CO. LLC/GLENN S. CHOWNING (perfected under Permit G-13419)  
**Use:** SUPPLEMENTAL IRRIGATION OF 98.75 ACRES  
**Priority Date:** FEBRUARY 7, 1997  
**Rate:** 0.65 CUBIC FOOT PER SECOND FOR SUPPLEMENTAL IRRIGATION  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Period of Use:** MARCH 1 through OCTOBER 31 of each year  
**Source:** HILLVIEW SUMP WELL NO. 5, in the COLUMBIA RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	13	SE NE	HILLVIEW WELL NO. 5 - 3800 FEET NORTH AND 2460 FEET EAST FROM THE S1/4 CORNER OF SECTION 13

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	13	NE NE	4.30
4 N	25 E	WM	13	NW NE	29.40
4 N	25 E	WM	13	SW NE	34.50
4 N	25 E	WM	13	SE NE	6.90
4 N	25 E	WM	13	NE NW	6.50
4 N	25 E	WM	13	SE NW	8.40
4 N	25 E	WM	13	SW SE	1.40
4 N	25 E	WM	13	SE SE	7.35
Total					98.75

**Determination and Proposed Action**

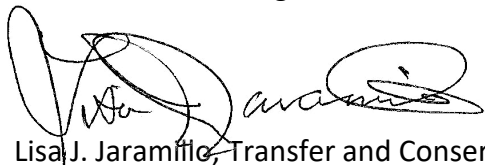
The change in point of appropriation, additional points of appropriation and change in place of use and character of use proposed in Transfer Application T-13531 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved, and the portion of the abandoned right will be cancelled.

*If Transfer Application T-13531 is approved, the final order will include the following:*

1. *The change in point of appropriation, additional points of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-13531 are approved. The portion of the right that has been abandoned is cancelled.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 93290 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person’s property for purposes of accessing the new additional points of appropriation or the new place of use.*
4. *Water right Certificates 93290 and 93292 are cancelled. A new certificate will be issued describing that portion of Certificate 93292 not affected by the cancellation.*
5. *The quantity of water diverted at the new point of appropriation (Hillview #4 (MORR 51714)), shall not exceed the quantity of water lawfully available at the original point of appropriation (Hillview Well No. 4 (Original)).*

6. *The quantity of water diverted at the new additional points of appropriation (Port Wells #A1, #A2, #A3, #B1, #B2, #B3, #B4, #C1, #C2, #C3, #D1, #D2, #D3, and Port Well #4 (MORR 1526)), together with that diverted at the original point of appropriation (Deep Well No. 2) and the proposed point of appropriation (Hillview #4 (MORR 51714)), shall not exceed the quantity of water lawfully available at the original points of appropriation (Deep Well No. 2 and Hillview Well No. 4 (Original)).*
7. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
8. *The former place of use of the transferred right shall no longer receive water under the right.*
9. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*
  - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
10. *The proposed Municipal Uses are limited to 1.23 cfs, and is further limited to a total volume of water diverted of 296.25 Acre-Feet (AF), March 1 through October 31.*
11. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2039**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
12. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on 4/3/2026



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department

This Proposed Final Order was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 971 979-3107 or Corey.A.Courchane@water.oregon.gov.

**If no protest of this Proposed Final Order is received by May 7, 2026, this Proposed Final Order will become a final order on June 9, 2026, without any further action by the Department. Oregon Laws 2025, chapter 575, section 3a(4). However, no later than June 9, 2026, the Department may withdraw this Proposed Final Order for reconsideration and issuance of a superseding proposed final order. Oregon Laws 2025, chapter 575, section 3a(5).**

### **Notification of Intent to Pursue Approval of Transfer through Consent to Injury Process**

If this Proposed Final Order determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under the consent to injury process outlined in OAR 690-380-5030 to 690-380-5050.

### **Protests and Requests for Party Status**

The following sections explain how to: (1) file a protest in opposition to this Proposed Final Order to request a contested case hearing on this Proposed Final Order; and (2) file a request for party status to request to participate in any contested case proceeding in support of this Proposed Final Order.

**Protests:** Under the provisions of Oregon Laws 2025, chapter 575, section 20(7) and section 3a(1), any person may protest this Proposed Final Order. Protests must be mailed or hand delivered to the Oregon Water Resources Department at the following address: 725 Summer Street NE, Suite A, Salem, OR 97301. If you wish to submit a protest by U.S. mail, please consider mailing early to ensure the Department receives the protest by the deadline specified. Protests must be received by the Water Resources Department no later than **May 7, 2026**.

#### **Protests must meet the following requirements:**

- Be in writing;
- Include the protestant's name, address, and telephone number;
- Include a description of the protestant's interest in the Proposed Final Order, and, if the protestant claims to represent the public interest, a precise statement of the public interest represented;
- Include a detailed description of how the action proposed in the Proposed Final Order would impair or be detrimental to the protestant's interest and/or the claimed public interest;
- Identify which of the Proposed Final Order's recommended findings of fact, conclusions of law or conditions of approval the protestant objects to;
- Raise all reasonably ascertainable issues and include all reasonable available arguments that support the protestant's position;
- Include any citation of legal authority to support the protest, if known;

- Explain how the issues raised in the protest are within the Department’s jurisdiction;
- If the protestant is the applicant, include a protest fee of \$720 required by ORS 536.050; and
- If the protestant is not the applicant, include a protest fee of \$1,425 required by ORS 536.050.

**Requests for Party Status:** Under the provisions of Oregon Laws 2025, chapter 575, section 20(7) and section 3a(2), if this Proposed Final Order is protested, any person who supports this Proposed Final Order may file a request for party status to request to participate in any contested case proceeding on the Proposed Final Order or for judicial review of a final order resulting from the Proposed Final Order. Requests for party status must be mailed or hand delivered to the Oregon Water Resources Department at the following address: 725 Summer Street NE, Suite A, Salem, OR 97301. If you wish to submit a request for party status by U.S. mail, please consider mailing early to ensure the Department receives the request by the deadline specified. Requests for party status must be received by the Water Resources Department no later than **June 8, 2026**.

**Requests for party status must be in writing and include the following:**

- Names and addresses of the requester and any organization the requester represents;
- Name and address of the requester’s attorney, if any;
- A statement of whether the request is for participation as a party or a limited party, and, if as a limited party, the precise area or areas in which participation is sought;
- If the requester seeks to protect a personal interest in the outcome of any contested case hearing on the Proposed Final Order, a detailed statement of the requester's interest, economic or otherwise, and how such interest may be affected by the results of the hearing;
- If the requester seeks to represent a public interest in the results of any contested case hearing on the Proposed Final Order, a detailed statement of such public interest, the manner in which such public interest will be affected by the results of the hearing, and the requester's qualifications to represent such public interest;
- A statement of the reasons why existing parties to the proceeding cannot adequately represent the private and/or public interest(s) the requester seeks to represent; and
- The request for party status fee of fee of \$1,425 required by Oregon Laws 2025, chapter 575, section 3a(2)(b)(C) and ORS 536.050.

After the deadline for requests for party status, the Department will provide copies of any timely requests for party status, accept responses to requests for party status, and consider and rule on timely requests for party status as provided in OAR 137-003-0535.

**Additional Notices**

***Notice of the circumstances under which this Proposed Final Order will become a final order:***

If no protest of this Proposed Final Order is timely received and the Department does not withdraw this Proposed Final Order for reconsideration within 33 days after the close of the period for submitting a protest, this Proposed Final Order will become a final order on the date that is 33 days after the close of the period for submitting a protest, with no further action required by the Department. If a protest or protests are timely received, but later: (1) all timely-filed protests are withdrawn and the withdrawals are not based on a settlement agreement requiring changes to this Proposed Final Order; (2) all protestants fail to appear at a scheduled hearing; or (3) all protestants notify the Department or the administrative law judge that the protestants will not appear at a scheduled hearing, the protestants will have waived any right to a hearing, and the Department or the administrative law judge will issue an order dismissing the protests and notifying the parties that this Proposed Final Order has become a final order. OAR 137-003-0672. The Department designates the relevant portions of its file on this matter, including all materials that you have submitted relating to this matter, as the record for the purpose of proving a prima facie case upon default. OAR 137-003-0672.

***Notice of Right to Pursue Approval of Transfer through Consent to Injury Process after Contested Case Hearing:*** If after a contested case hearing on this Proposed Final Order the Department issues a proposed order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

***Notice of right to be represented by an attorney:*** You may be represented by an attorney at any contested case hearing on this Proposed Final Order. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an “authorized representative” as defined at OAR 137-003-0555(1)(b) may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

***Notice to active duty servicemembers:*** Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-453-1175, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or a request for party status, or if you have previously filed a protest or a request for party status and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

April 3, 2026

VIA CERTIFIED MAIL AND E-MAIL

GLENN CHOWNING  
PO BOX 862  
HERMISTON, OR 97838

SUBJECT: Water Right Transfer Application T-13531

Please find enclosed the Proposed Final Order indicating that, based on the information available, the Department intends to approve application T-13531. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Heppner Gazette Times newspaper, simultaneously with issuance of the Proposed Final Order. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Proposed Final Order or a request for party status supporting the Department's decision. The protest period will end 30 days after the Department's notice.

If no protest is filed, the Proposed Final Order will become a Final Order 33 days after the protest period ends, without any further action by the Department.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Proposed Final Order to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me, at [corey.a.courchane@water.oregon.gov](mailto:corey.a.courchane@water.oregon.gov) or (503) 979-3917, if I may be of assistance.

Sincerely,

A handwritten signature in blue ink that reads "Corey Courchane". The signature is fluid and cursive, with the first name "Corey" and last name "Courchane" clearly distinguishable.

Corey Courchane  
Allocation of Conserved Water  
Transfer and Conservation Section

cc: Transfer Application file T-13531  
Greg Silbernagel, District 5 Watermaster (*via e-mail,*)  
Ronald V. McKinnis, Agent for the applicant (*via e-mail*)  
Port of Morrow, Attn: Miff Devin, Receiving Landowner (*via e-mail*)  
Brian Posewitz, WaterWatch of Oregon (*via e-mail: brian@waterwatch.org*)

encs