

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 22, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **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.
- * **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- * **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 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.

* **Certificate Issuance**

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

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

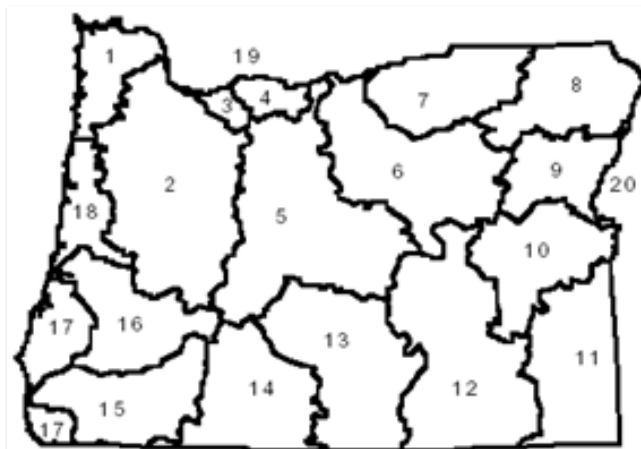
Unit of measure:

- 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, December 22, 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, January 06, 2023.

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#	G-19000
County/Basin	Columbia / Willamette (2)
Applicant Name	CITY OF SCAPPOOSE 33568 E COLUMBIA AVE SCAPPOOSE, OR 97056
Sources/TRSQ40Q160	A WELL > MULTNOMAH CHANNEL BASIN / 3.00N 1.00W 7 SENW A WELL > MULTNOMAH CHANNEL BASIN / 3.00N 1.00W 7 NESW A WELL > MULTNOMAH CHANNEL BASIN / 3.00N 1.00W 7 SWNW
Use/Quantity	MUNICIPAL USES / 0.267 CFS
Priority Date	06/22/2020
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-89283
County/Basin	Douglas / Umpqua (16)
Applicant Name	ANDREW F. KAHN TRUST UAD 1/7/2005 KAHN, ANDREW & SHIRLEY 5120 SUNSHINE RD ROSEBURG, OR 97470
Sources/TRSQ40Q160	NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 5.00W 26 SENE
Use/Quantity	DOMESTIC EXPANDED / 0.035 CFS
Priority Date	10/17/2022
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 \$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# [G-19288](#)
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name JAMES W VOTTO REVOCABLE TRUST
VOTTO, JAMES
93905 PIKE LANE
LAKEVIEW, OR 97630
Priority Date 05/02/2022
Issue Date 11/22/2022
Status WITHDRAWN

App# [G-19319](#)
County/Basin Baker / Powder (9)
Applicant Name BAKER CITY CATTLE FEEDERS
20528 CULLEY LANE
BAKER CITY, OR 97814
JOHNSTON FAMILY TRUST
PO BOX 220
STAR, ID 83655
Priority Date 08/08/2022
Issue Date 11/22/2022
Status WITHDRAWN

App# [LL-1908](#)
County/Basin Wheeler / John Day (6)
Applicant Name HALE, JODY & RICK
73426 HWY 207
ECHO, OR 97826
Issue Date 11/21/2022
Status APPROVED

App# [S-88279](#)
County/Basin Klamath / Klamath (14)
Applicant Name NORRIS, ERIKA A.
PO BOX 129
BEATTY, OR 97621
Priority Date 09/01/2016
Issue Date 11/22/2022
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 21, 2023.

App#	R-89296
County/Basin	Lane / Willamette (2)
Applicant Name	LORINCZ, SUSAN JO 2899 E 40TH AVE EUGENE, OR 97405
Sources/TRSQ40Q160	RUNOFF > RUSSEL CREEK / 18.00S 3.00W 9 SESE
Use/Quantity	MULTIPLE PURPOSE / 2.700 AF
Priority Date	11/14/2022

Expedited Secondary Applications Under HB 2178 (2005)

For expedited secondary applications to use exclusively stored water filed under HB 2178, the public is invited to comment within 30 days of this notice, by **December 22, 2022**. The expedited secondary applications listed below have been filed recently. Any person may raise public interest issues regarding these applications. If public interest issues are raised, the Department may move the application to the standard process and review the application pursuant to ORS 537.153, and issue a Proposed Final Order. If no public issues are raised, the Department may issue a final order and permit without further prior notice.

Comments must identify the specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected by the proposed use, and specifically how the identified public interest would be affected.

POD 1 is the location of the stored water. POD 2 and any additional points are the rediversion point(s).

App# [S-89294](#)
County/Basin Jackson / Rogue (15)
Applicant Name RED HORSE, JON
5619 BUTTE FALLS HWY
EAGLE POINT, OR 97524
Sources/TRSQ40Q160 A RESERVOIR > SOUTH FORK REESE CREEK / 35.00S 1.00E 5 NWSW
Use/Quantity NURSERY USES / 0.578 AF
Priority Date 11/10/2022

App# [S-89254](#)
County/Basin Yamhill / Willamette (2)
Applicant Name KAJIWARA FAMILY VINEYARDS
421 AVIATION BLVD
SANTA ROSA, CA 95403
Sources/TRSQ40Q160 A RESERVOIR > UNNAMED STREAM / 2.00S 3.00W 32 NENW
Use/Quantity IRRIGATION / 9.100 AF
Priority Date 07/27/2022

**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 December 22, 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# [S-87824](#)
Permit Number S-54797
County/Basin Douglas / Umpqua (16)
Applicant Name GARY AND LOUISE REED REVOCABLE TRUST
PO BOX 747
WINCHESTER, OR 97495
Sources/TRSQ40Q160 NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 5.00W 19 SWSW
Use/Quantity DOMESTIC EXPANDED / 0.010 CFS
Proposed Completion Date

App# [G-17586](#)
Permit Number G-18106
County/Basin Linn / Willamette (2)
Applicant Name JACKASS MOUNTAIN HOLDINGS LLC
MACHUGH, CLIFF
660 DOGWOOD RD
PASCO, WA 99301
Sources/TRSQ40Q160 A WELL > CROOKS CREEK BASIN / 10.00S 3.00W 17 NWNW
A WELL > CROOKS CREEK BASIN / 10.00S 3.00W 17 NENW
A WELL > CROOKS CREEK BASIN / 10.00S 3.00W 17 SENE
Use/Quantity AGRICULTURE USES / 2.230 CFS

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 \$35. (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 January 06, 2023. There is no fee for submission of comments. The protest filing fee is \$480 for the applicant and \$950 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

App#	R-88300
Permit#	R-15224
County/Basin	Polk / Willamette (2)
Applicant Name	FETTIG, JIM 17705 NE CHEHALEM DR NEWBERG, OR 97132
Sources/TRSQ40Q160 Use/Quantity	RUNOFF > ASH SWALE / 7.00S 5.00W 2 NESW MULTIPLE PURPOSE / 30.000 AF

Extensions of Time Progress
Checkpoint Progress Reports filed pursuant to OAR 690-315

Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until December 22, 2022. Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

App# [S-84646](#)
Permit Number S-53768
County/Basin Yamhill / Willamette (2)
Applicant Name MCADAMS, RYAN
STE MICHELLE WINE ESTATES LTD
PO BOX 730
DUNDEE, OR 97115
Use IRRIGATION

App# [R-84645](#)
Permit Number R-13129
County/Basin Yamhill / Willamette (2)
Applicant Name MCADAMS, RYAN
STE MICHELLE WINE ESTATES LTD
PO BOX 730
DUNDEE, OR 97115
Use WILDLIFE
STORAGE

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 22, 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-14120
Water Right	Cert: 41857
County/Basin	Josephine / Rogue (15)
Applicant Name	WEST, DRENA 61350 EAST 250 DRIVE GROVE, OK 74344
Proposed Change	POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > APPLGATE RIVER / 37.00S 5.00W 24 SWSE
Use/Quantity	IRRIGATION / 0.060 CFS
Priority Date	11/21/1968
Transfer	T-14121
Water Right	Cert: 94472 (T-12833)
County/Basin	Harney / Malheur Lake (12)
Applicant Name	GOLDEN RULE FARMS INC. PO BOX 255 CHRISTMAS VALLEY, OR 97641
Proposed Change	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE, USE
Sources/TRSQ40Q160	A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 32 NENE A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 32 SWNE A WELL > MALHEUR LAKE BASIN / 25.00S 31.00E 33 NWNW
Use/Quantity	AGRICULTURE USES / 0.068 CFS
Priority Date	02/08/1999
Transfer	T-14122
Water Right	Cert: 62156, 96038
County/Basin	Morrow / Umatilla (7)
Applicant Name	HUBLER, KATIE K. OREGON DEPARTMENT OF TRANSPORTATION 885 AIRPORT RD SE BUILDING X SALEM, OR 97301
Sources/TRSQ40Q160	A WELL > COLUMBIA RIVER / 4.00N 24.00E 13 NWNW A WELL > COLUMBIA RIVER BASIN / 4.00N 24.00E 13 SWNW COLUMBIA RIVER > PACIFIC OCEAN / 4.00N 24.00E 13 NWNW
Use/Quantity	IRRIGATION / 0.045 CFS IRRIGATION / 0.130 CFS
Priority Date	10/02/1980, 09/27/1993

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 \$950 protest fee for non-applicant and \$480.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before December 22, 2022, 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-13675](#) filed by J-S Ranch Inc., 34905 Ranch Drive, Brownsville, OR 97327, proposes an additional point of appropriation, a change of place of use and a change in character of use under Certificate 76538. The right allows the use of 0.57 cubic foot per second (cfs) from a well in Sec. 10, T10S, R2W, WM for irrigation in Sec. 10, T10S, R2W, WM. The applicant proposes an additional point appropriation in Sec. 10, T10S, R2W, WM, to change the place of use to Sec. 10, T10S, R2W, WM, and to change the character of use of 0.24 cfs to agriculture and stock. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13931](#) filed by Wallowa Lake Irrigation District, 65196 Dobbin Rd, Joseph, OR 97846, proposes a change of character of use under Certificate 2949. The right allows the use of 4500 acre-feet from the Wallowa Lake for storage for supplemental irrigation, domestic, and stock use. The applicant proposes to change the character of use to multipurpose. 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.

Cert# [96737](#)
Xfer: T-11989
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name 3J FAMILY FARMS LLC
Priority Date 02/23/1981
Issue Date 11/18/2022

Cert# [96735](#)
Xfer: T-11989
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name 3J FAMILY FARMS LLC
WARKENTIN, JAMEY
WARKENTIN, AMBER
WARKENTIN, JAMES
WARKENTIN, JESSE
Priority Date 06/16/1980
Issue Date 11/18/2022

Cert# [96751](#)
App: R-87832
County/Basin Jefferson / Deschutes (5)
Applicant Name BRUUN, KELLY
BRUUN, BARBARA
Priority Date 08/09/2012
Issue Date 11/18/2022

Cert# [96734](#)
App: R-87899
County/Basin Grant / John Day (6)
Applicant Name CRISSMAN, MARK
Priority Date 05/16/2013
Issue Date 11/18/2022

Cert# [96738](#)
Xfer: T-11989
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name WARKENTIN, JAMEY
WARKENTIN, AMBER
Priority Date 02/15/1984
Issue Date 11/18/2022

Cert# [96739](#)
Xfer: T-11989
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name WARKENTIN, JAMEY
WARKENTIN, AMBER
Priority Date 06/09/1981
Issue Date 11/18/2022

Cert# [96736](#)
Xfer: T-11989
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name WARKENTIN, JAMEY
WARKENTIN, AMBER
3J FAMILY FARMS LLC
Priority Date 01/11/1984
Issue Date 11/18/2022

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

November 22, 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.