

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 29, 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.
- * **Transfer Applications: District Permanent for Place of Use - ORS 540.580**
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- * **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

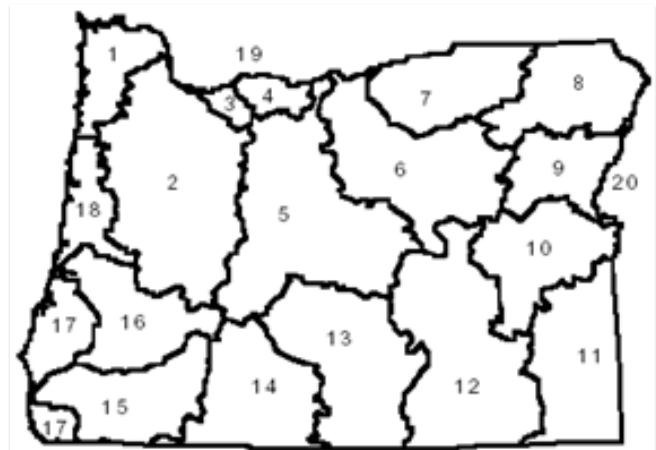
Unit of measure:

- 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 29, 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 13, 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-18549
County/Basin	Jackson / Rogue (15)
Applicant Name	DW PROPERTY INVESTMENT LLC WANG, WEI 3000 BEAGLE RD WHITE CITY, OR 97503
Sources/TRSQ40Q160	A WELL > CONSTANT CREEK / 35.00S 1.00W 18 NWSW A WELL > CONSTANT CREEK / 35.00S 1.00W 18 SWNW
Use/Quantity	NURSERY USES / 0.400 CFS
Priority Date	08/14/2017
Stage/Status	PFO / PROPOSE TO DENY
App#	G-18802
County/Basin	Malheur / Owyhee (11)
Applicant Name	BERRETT RANCHES INC. BERRETT, DALE & TONY 3540 HWY 95 JORDAN VALLEY, OR 97910
Sources/TRSQ40Q160	A WELL > JORDAN CREEK BASIN / 30.00S 44.00E 27 SENW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 4.000 CFS
Priority Date	03/11/2019
Stage/Status	PFO / PROPOSE TO APPROVE
App#	G-18807
County/Basin	Linn / Willamette (2)
Applicant Name	GARY CROSSAN FARMS LLC 34474 WEBBER DR SHEDD, OR 97377
Sources/TRSQ40Q160	A WELL > CALAPOOIA RIVER BASIN / 12.00S 3.00W 26 NESE A WELL > CALAPOOIA RIVER BASIN / 12.00S 3.00W 26 NESE
Use/Quantity	IRRIGATION / 0.920 CFS
Priority Date	08/05/2019
Stage/Status	PFO / PROPOSE TO APPROVE
App#	G-18882
County/Basin	Union / Grande Ronde (8)
Applicant Name	BINGAMAN, GREGORY L. 64088 MCDONALD LANE LA GRANDE, OR 97850
Sources/TRSQ40Q160	A WELL > SLIDE CREEK BASIN / 2.00S 38.00E 1 NWNW A WELL > SLIDE CREEK BASIN / 2.00S 38.00E 1 NENW A WELL > SLIDE CREEK BASIN / 2.00S 38.00E 1 SWNW
Use/Quantity	IRRIGATION / 0.643 CFS
Priority Date	11/25/2019
Stage/Status	PFO / 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 W.
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 11/23/2022
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

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 13, 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#	G-18082
Permit#	G-17616
County/Basin	Baker / Powder (9)
Applicant Name	INSCOE, LINDA & TERRY PWDER RIVER LAND CO. 47759 ANTHONY LAKES HWY NORTH POWDER, OR 97867
Sources/TRSQ40Q160 Use/Quantity	A WELL > NORTH POWDER RIVER BASIN / 7.00S 39.00E 6 SWNW SUPPLEMENTAL IRRIGATION / 0.556 CFS

App#	R-73929
Permit#	R-12601
County/Basin	Malheur / Owyhee (11)
Applicant Name	HEARTWOOD PROPERTIES LLC 14150 N BROKEN HORN RD BOISE, ID 83714
Sources/TRSQ40Q160 Use/Quantity	RUNOFF > SUCCOR CREEK / 22.00S 47.00E 31 SESW FISH AND WILDLIFE / 186.000 AF

Applications for District Permanent Transfer for Place of Use

A district may request to permanently change the place of use within district boundaries pursuant to ORS 540.580. A petition (application) for a district permanent water right transfer may be submitted subsequent to (specific noticing requirements apply) or prior to the change in place of use, but no later than the end of the calendar year in which the change occurs. The petition may include an unlimited number of place of use transfers within the same petition. Any recently filed Application for District Permanent Water Right Transfer for Place of Use is listed below.

Public comments may be submitted by any person (please follow the instructions on the last page of this public notice). A protest may be filed by any potentially affected holder of an existing water right, either jointly or severally with other persons, provided the protest is not by a user within a district alleging injury to the delivery of water by the district. Each person submitting a protest shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue precludes consideration of the issue during the hearing. Protests must be accompanied by a \$950 protest fee for non-applicants and a \$480 protest fee for the applicant, and filed in accordance with OAR Chapter 690, Division 2. **Comments or protests must be received by the Department on or before December 29, 2022.**

Pursuant to ORS 540.580(8), if a water user within the district files a protest claiming injury to a water right delivery by the district, no contested case hearing shall be required, but the district shall resolve the matter directly with the water user.

To view the permanent transfer application, click on the link below.

Transfer	T-14123
County	Malheur
Certificate	75691 IN THE NAME OF THE U.S. BUREAU OF RECLAMATION; 75689 IN THE NAME OF THE U.S. BUREAU OF RECLAMATION; 75708 IN THE NAME OF OWYHEE IRRIGATION DISTRICT
Priority Date	2/14/1916 & 8/19/1924 (LIVE FLOW), 2/15,1916 & 8/20/1924 (STORED WATER); 10/1/1951;
07/08/1913	
Name	OWYHEE IRRIGATION DISTRICT
Address	422 THUNDEREGG BLVD NYSSA, OR 97937
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	OWYHEE RIVER AND OWYHEE RESERVOIR, TRIBUTARY TO THE SNAKE RIVER; SNAKE RIVER >
COLUMBIA RIVER	

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# [96741](#)
App: R-81586
County/Basin Marion / Willamette (2)
Applicant Name ALBRIGHT, PAUL J.
Priority Date 10/03/1996
Issue Date 11/25/2022

Cert# [96733](#)
App: S-84124
County/Basin Jackson / Rogue (15)
Applicant Name BIRNIE, ERMA A.
Priority Date 04/23/1999
Issue Date 11/25/2022

Cert# [96730](#)
App: R-87160
County/Basin Wheeler / John Day (6)
Applicant Name BORGWARDT, DAVID
Priority Date 04/29/2008
Issue Date 11/25/2022

Cert# [96659](#)
App: G-16852
County/Basin Umatilla / Umatilla (7)
Applicant Name BOSCH, PATRICIA F.
Priority Date 05/17/2007
Issue Date 11/25/2022

Cert# [96731](#)
App: R-86575
County/Basin Clackamas / Willamette (2)
Applicant Name MOSTUL, BURL
Priority Date 04/21/2006
Issue Date 11/25/2022

Cert# [96714](#)
App: G-16979
County/Basin Harney / Malheur Lake (12)
Applicant Name SCHROCK, MARK
Priority Date 12/12/2007
Issue Date 11/25/2022

Cert# [96696](#)
App: R-73733
County/Basin Curry / South Coast (17)
Applicant Name SEA WIND FARMS INC.
Priority Date 10/13/1993
Issue Date 11/25/2022

Cert# [96697](#)
App: S-73734
County/Basin Curry / South Coast (17)
Applicant Name SEA WIND FARMS INC.
Priority Date 10/13/1993
Issue Date 11/25/2022

Cert# [96740](#)
App: R-85014
County/Basin Jackson / Klamath (14)
Applicant Name TAYLOR, RICHARD
Priority Date 01/25/2002
Issue Date 11/25/2022

Cert# [96732](#)
App: G-17028
County/Basin Harney / Malheur Lake (12)
Applicant Name TOTLAND, RONALD
Priority Date 03/31/2008
Issue Date 11/25/2022

Cert# [96743](#)
App: R-84144
County/Basin Douglas / Umpqua (16)
Applicant Name WILKERSON, LARRY D.
WILKERSON, SHARON ANN
Priority Date 05/18/1999
Issue Date 11/25/2022

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

November 29, 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.