

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
December 6, 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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Applications for Allocation of Conserved Water**
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- * **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

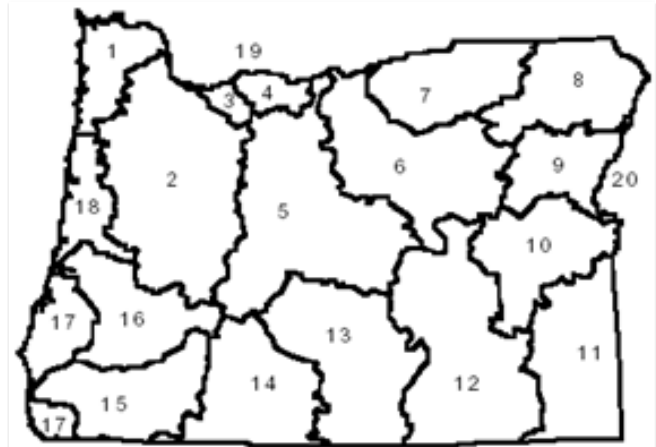
Unit of measure:

- 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, January 05, 2023. 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 20, 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#	S-89284
County/Basin	Polk / Willamette (2)
Applicant Name	HAMILTON FARMS LLC ATTN: MATT HAMILTON 14190 AIRLIE RD MONMOUTH, OR 97361
Sources/TRSQ40Q160	LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 5.00W 19 NESW LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 5.00W 19 NENE LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 5.00W 24 NENW LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 5.00W 6 NESW LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 5.00W 8 NESW
Use/Quantity	IRRIGATION / 8.290 CFS
Priority Date	10/21/2022
Stage/Status	IR / PROPOSE TO APPROVE
App#	S-89292
County/Basin	Douglas / Umpqua (16)
Applicant Name	REED, GARY & LOUISE PO BOX 747 WINCHESTER, OR 97495
Sources/TRSQ40Q160	NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 5.00W 19 SWSW
Use/Quantity	DOMESTIC EXPANDED / 0.005 CFS
Priority Date	10/26/2022
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-18845
County/Basin	Marion / Willamette (2)
Applicant Name	SINN FARMS INC. 9510 SARATOGA DR NE SILVERTON, OR 97381
Priority Date	10/30/2019
Issue Date	12/06/2022
Status	APPROVED
App#	LL-1942
County/Basin	Klamath / Klamath (14)
Applicant Name	PCIFICORP AN OREGON CORP 825 NE MULTNOMAH ST SUITE 1700 PORTLAND, OR 97232
Issue Date	11/29/2022
Status	APPROVED
App#	S-88751
County/Basin	Jackson / Rogue (15)
Applicant Name	VOSS, DIANE P. 3497 OLD FERRY RD SHADY COVE, OR 97539
Priority Date	02/25/2019
Issue Date	12/06/2022
Status	APPROVED

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 **January 05, 2023**. 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-89299](#)
County/Basin Josephine / Rogue (15)
Applicant Name DRISKELL, DARRELL
11524 N APPLGATE RD
GRANTS PASS, OR 97527
Sources/TRSQ40Q160 A DITCH > APPLGATE RIVER / 37.00S 5.00W 35 NWNE
APPLGATE RESERVOIR > APPLGATE RIVER / 40.00S 4.00W 25 SESE
Use/Quantity IRRIGATION / 9.000 AF
Priority Date 12/01/2022

App# [S-89300](#)
County/Basin Yamhill / Willamette (2)
Applicant Name URSTADT, ERIC
ASPEN RURAL LAND CONSULTING
39290 NW MURTAUGH RD
NORTH PLAINS, OR 97133
Sources/TRSQ40Q160 A RESERVOIR > CHAHALEM CREEK / 3.00S 3.00W 12 NWSW
A RESERVOIR > CHAHALEM CREEK / 3.00S 3.00W 12 NWSE
Use/Quantity IRRIGATION / 4.600 AF
Priority Date 12/01/2022

Applications for Allocation of Conserved Water

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project, whether existing water rights will be protected from injury, and whether the project is in compliance with local comprehensive land use plans.

CW-131 filed by Berchtold Farming LLC, 125 Irvine Cove Circle, Laguna Beach, CA 92651, submitted an application for Allocation of Conserved Water under ORS 537.470. Certificate 75881 is for 0.081 cubic foot per second (cfs), 16.3 Acre Feet (AF) from an unnamed creek and reservoir constructed under Application No. R-38892, Permit No. R-3420, a tributary of Chicken Creek for irrigation of 6.5 acres in Sec. 26, T2S, R2W, WM. The conservation project proposes to convert from hand watering with garden hoses to drip emitters. The project proposes to conserve approx. 0.046 cfs, 15.9 AF. The applicant proposes to protect 25% (0.011 CFS, 4.0 AF) of the conserved water instream.

The project appears to be consistent with the requirements under ORS 537.470. Any interested person may submit written comments for the applications. Comments must be received within 20 days of the last day of publication of this notice, being by 5:00 pm on January 6, 2023. Comments should be sent to the attention of the ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301.

**Applications for Extensions of Time
to Perfect Water Right Permits filed pursuant to OAR 690-315**

Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until January 05, 2023. 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# [G-18105](#)
Permit Number G-17649
County/Basin Marion / Willamette (2)
Applicant Name CROSBY LAND CO. LLC
C/O KEVIN CROSBY
7798 CROSBY RD NE
WOODBURN, OR 97071
Sources/TRSQ40Q160 A WELL > RYAN CREEK BASIN / 4.00S 1.00W 8 NWNW
Use/Quantity IRRIGATION / 0.360 CFS
Proposed Completion Date 10/01/2027

App# [G-18383](#)
Permit Number G-17865
County/Basin Marion / Willamette (2)
Applicant Name CROSSROADS LAND LLC
8648 CROSBY RD NE
WOODBURN, OR 97071
NORTHWEST FARM CREDIT SERVICES FLCA
650 HAWTHORNE AVE SE SUITE 210
SALEM, OR 97301
Sources/TRSQ40Q160 A WELL > LITTLE PUDDING RIVER BASIN / 5.00S 2.00W 23 NWSW
Use/Quantity IRRIGATION / 1.290 CFS
Proposed Completion Date 10/01/2027

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 January 05, 2023. 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-45826
Permit Number	S-34196
County/Basin	Hood River / Hood (4)
Applicant Name	CRYSTAL SPRINGS WATER DISTRICT PO BOX 186 ODELL, OR 97044
Use	MUNICIPAL USES

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before January 05, 2023. 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-14124
Water Right	Cert: 19830, 41860
County/Basin	Klamath / Klamath (14)
Applicant Name	DUANE MARTIN RANCHES LP 2021 STATE HWY 88 IONE, CA 95640
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > ROCK CREEK / 36.00S 11.00E 16 SESW A WELL > ROCK CREEK / 36.00S 11.00E 16 SWSW A WELL > ROCK CREEK / 36.00S 11.00E 16 SWNW A WELL > ROCK CREEK / 36.00S 11.00E 16 NENW A WELL > SPRAGUE RIVER / 36.00S 11.00E 8 SESW NEATHORY WELL 1 > SPRAGUE RIVER / 36.00S 11.00E 15 SWSE
Use/Quantity	IRRIGATION / 0.940 CFS
Priority Date	04/23/1947, 03/04/1964

Transfer	T-14125
Water Right	Cert: 64632
County/Basin	Grant, Wheeler / John Day (6)
Applicant Name	LONGVIEW RANCH LLC SCOTT SUTTON 39847 HWY 19 KIMBERLY, OR 97848
Proposed Change	POINT OF DIVERSION, PLACE OF USE, USE
Sources/TRSQ40Q160	JOHN DAY RIVER > COLUMBIA RIVER / 10.00S 26.00E 30 NWSW JOHN DAY RIVER > COLUMBIA RIVER / 10.00S 26.00E 30 SWSW JOHN DAY RIVER > COLUMBIA RIVER / 10.00S 26.00E 31 SWNW JOHN DAY RIVER > COLUMBIA RIVER / 11.00S 26.00E 6 NWNW
Use/Quantity	IRRIGATION / 2.090 CFS
Priority Date	10/04/1918

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 January 05, 2023, 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-13757](#) filed by Pendleton Land LLC, c/o Alternative Equity Advisors, LLC, (Dave Muth), 12119 Stratford Drive, Suite B, Clive, Iowa 50325, proposes a change in points of appropriation under Certificates 30636, 42976, 89896, and 95268. Certificate 30636 allows the use of 3.7 cubic feet per second (cfs) from a well in Sec. 35, T6N, R34E, WM for irrigation and supplemental irrigation in Sects. 26, 27, and 35, T6N, R34E, WM. The applicant proposes to move the point of appropriation within Sec. 35, T6N, R34E, WM. Certificate 42976 allows the use of 1.0 cfs from a well in Sec. 21, T6N, R34E, WM for irrigation and supplemental irrigation in Sec. 21, T6N, R34E, WM. The applicant proposes to move the point of appropriation within Sec. 21, T6N, R34E, WM. Certificate 89896 allows the use of 4.08 cfs from nine wells in Sects. 22, 23, 27, and 35, T6N, R34E, WM for irrigation and supplemental irrigation in Sects. 22, 23, 26, 27, and 35, T6N, R34E, WM. The applicant proposes to move the points of appropriation to within Sec. 35, T6N, R34E, WM. Certificate 95268 allows the use of 10.98 cfs from four wells in Sects. 21 and 28, T6N, 34E, WM for irrigation and supplemental irrigation in Sects. 20, 21, 28, and 29, T6N, R34E, WM. The applicant proposes to move the points of appropriation to within Sec. 21, T6N, R34E, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13404](#) filed by Christopher James Ray and Anna R. Ray, 6144 Molthan Ranch Rd., Ironside, OR 97908, proposes a change in points of diversion and to change the places of use under Certificates 48389 and 56242, and to change the places of use under Certificates 33312 and 56243. Certificate 33312 allows the use of 1.31 cubic feet per second (cfs) from a well in Sec. 32, T14S, R39E, WM for irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes to change the place of use to Sects 27 and 28, T14S, R39E, WM. Certificate 48389 allows the use of 1.60 cfs from South Fork Willow Creek in Sec. 28, T14S, R39E, WM for supplemental irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes to change the point of diversion to Sec. 32, T14S, R39E, WM, and to change the place of use to Sects 27 and 28, T14S, R39E, WM. Certificate 56242 allows the use of 0.38 cfs from South Fork Willow Creek in Sec. 28, T14S, R39E, WM for irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes to change the point of diversion to Sec. 32, T14S, R39E, WM, and to change the place of use to Sects 28 and 33, T14S, R39E, WM. Certificate 56243 allows the use of 0.34 cfs from a well in Sec. 28, T14S, R39E, WM for supplemental irrigation in Sects. 28 and 33, T14S, R39E, WM. The applicant proposes to change the place of use to Sects 27 and 28, T14S, R39E, WM. 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#	96753
App:	R-88420
County/Basin	Yamhill / Willamette (2)
Applicant Name	ASCHIM, CASEY
Priority Date	06/22/2017
Issue Date	12/02/2022
Cert#	96750
App:	R-88381
County/Basin	Yamhill / Willamette (2)
Applicant Name	CLARNO, NICHOLAS CLARNO, JUANITA
Priority Date	03/23/2017
Issue Date	12/02/2022
Cert#	96749
App:	R-87722
County/Basin	Grant / John Day (6)
Applicant Name	ENGLE HOME RANCH LLC ENGLE, GARY; ENGLE HOME RANCH LLC
Priority Date	05/05/2011
Issue Date	12/02/2022
Cert#	96754
App:	R-87534
County/Basin	Lane / Willamette (2)
Applicant Name	GIUDICI, KIRK
Priority Date	10/02/2009
Issue Date	12/02/2022
Cert#	96755
App:	R-87535
County/Basin	Lane / Willamette (2)
Applicant Name	GIUDICI, KIRK
Priority Date	10/02/2009
Issue Date	12/02/2022
Cert#	96748
App:	R-87765
County/Basin	Wheeler / John Day (6)
Applicant Name	GOODELL, D ROCKEY GOODELL, RAHLES M.
Priority Date	11/07/2011
Issue Date	12/02/2022

Cert# [96745](#)
App: R-88849
County/Basin Lane / Willamette (2)
Applicant Name KONGSORE, BENTE
Priority Date 07/17/2020
Issue Date 12/02/2022

Cert# [96729](#)
App: R-88712
County/Basin Lane / Willamette (2)
Applicant Name MCMAHEN, TIMOTHY
Priority Date 06/13/2019
Issue Date 12/02/2022

Cert# [96769](#)
App: R-84503
County/Basin Washington / Willamette (2)
Applicant Name RAUCH, PAUL; U.S. FISH AND WILDLIFE SERVICE
U.S. FISH AND WILDLIFE SERVICE
Priority Date 08/08/2000
Issue Date 12/02/2022

Cert# [96752](#)
App: R-86958
County/Basin Josephine / Rogue (15)
Applicant Name VINCENT, ANNE
Priority Date 08/13/2007
Issue Date 12/02/2022

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

December 6, 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.