

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
January 17, 2023

*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 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.
- * **Transfer Notice: District Permanent Transfers for Place of Use- ORS 540.580(4)**
District notices filed for place of use changes within a district's boundary.
- * **Water Management and Conservation Plans**
Water management and conservation plans submitted by municipalities and agricultural water suppliers under provisions of OAR Chapter 690, Division 86.
- * **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

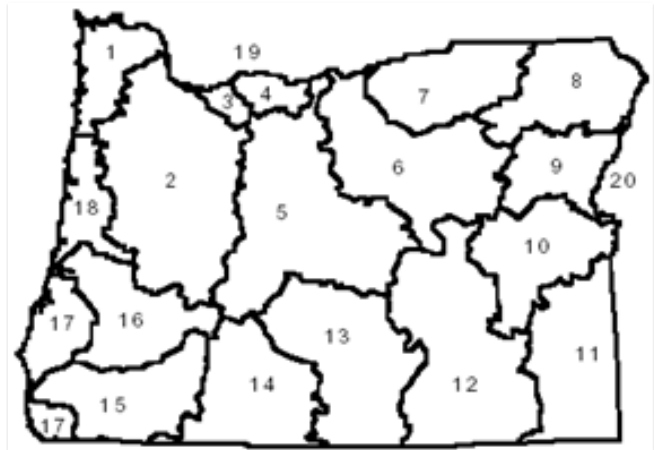
Unit of measure:

- 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, February 16, 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, March 03, 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-18822
County/Basin	Linn / Willamette (2)
Applicant Name	BERRY DRIVE LLC 24495 POWERLINE RD HARRISBURG, OR 97446
Sources/TRSQ40Q160	A WELL > SANTIAM RIVER BASIN / 10.00S 3.00W 22 SESW
Use/Quantity	IRRIGATION / 0.220 CFS
Priority Date	05/13/2019
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-88726
County/Basin	Lane / Middle Coast (18)
Applicant Name	PRC EXCHANGE PO BOX 777 FLORENCE, OR 97439
Sources/TRSQ40Q160	SILTCOOS LAKE > SILTCOOS RIVER / 19.00S 12.00W 26 SWNE
Use/Quantity	DOMESTIC / 0.005 CFS
Priority Date	07/26/2019
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-88877
County/Basin	Douglas / Umpqua (16)
Applicant Name	VINCE LLC 2315 11TH ST NORTH BEND, OR 97459
Sources/TRSQ40Q160	NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 3.00W 11 SWNE
Use/Quantity	DOMESTIC EXPANDED / 0.010 CFS
Priority Date	09/25/2020
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-89236
County/Basin	Linn / Willamette (2)
Applicant Name	BROWN, MILTON AND PINH 10325 HEMPHILL PLACE SAN DIEGO, CA 92126
Sources/TRSQ40Q160	CRABTREE CREEK > SOUTH SANTIAM RIVER / 11.00S 1.00E 18 SWNE
Use/Quantity	HUMAN CONSUMPTION / 0.005 CFS
Priority Date	05/19/2022
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-89172
County/Basin	Douglas / Umpqua (16)
Applicant Name	FISHBUMS LLC 16139 SW 130TH TERRACE 33 TIGARD, OR 97224
Sources/TRSQ40Q160	NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 3.00W 9 SENE
Use/Quantity	DOMESTIC EXPANDED / 0.010 CFS
Priority Date	10/21/2021
Stage/Status	IR / PROPOSE TO APPROVE

App# [S-89303](#)
County/Basin Tillamook / North Coast (1)
Applicant Name MALONE, STEVE AND MARLENE
8140 SW 68TH PLACE
PORTLAND, OR 97223
Sources/TRSQ40Q160 A SPRING > UNNAMED STREAM / 1.00S 10.00W 16 SWNE
Use/Quantity DOMESTIC / 0.004 CFS
Priority Date 12/12/2022
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# [R-88878](#)
County/Basin Baker / Powder (9)
Applicant Name HECKERMAN, JOLENE
983 SERENA DR
PACIFICA, CA 94044
Priority Date 10/05/2020
Issue Date 01/06/2023
Status APPROVED

App# [S-89134](#)
County/Basin Douglas / Umpqua (16)
Applicant Name HERBERT LUMBER CO.
PO BOX 7
RIDDLE, OR 97469
Priority Date 06/24/2021
Issue Date 01/06/2023
Status APPROVED

App# [S-89189](#)
County/Basin Douglas / Umpqua (16)
Applicant Name COUNCIL GROVE FARM
MADISON, CLAUDIA
MADISON, DAVID
1916 MADISON RD
OAKLAND, OR 97462
Priority Date 12/01/2021
Issue Date 01/06/2023
Status APPROVED

App# [S-89206](#)
County/Basin Josephine / Rogue (15)
Applicant Name FULL CIRCLE PROPERTIES LLC
PO BOX 471
WILLIAMS, OR 97544
Priority Date 01/18/2022
Issue Date 01/13/2023
Status APPROVED

App# [S-89300](#)
County/Basin Yamhill / Willamette (2)
Applicant Name FLYING FEATHER ORCHARDS INC.
14875 NE TANGEN RD
NEWBERG, OR 97132
Priority Date 12/01/2022
Issue Date 01/17/2023
Status WITHDRAWN

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 February 16, 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-13634](#) filed by Hoellrich Rev Trust, 100 Ferry Rd. Grants Pass, OR 97526, proposes a change in point of appropriation under Certificate 60418. The right allows the use of 1.01 cubic feet per second from a sump and a well in Sec. 16, T35S, R7W, WM for irrigating in Sec. 36, T35S, R7W, WM. The applicant proposes a change in points of appropriation in Sec. 36, T35S, R7W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13993](#) filed by Eagle Valley SWCD, 3990 Midway Dr., Baker City, OR 97814, proposes an additional point of diversion under Certificates 10424, 36813, 46652, 85796, and 95484. Certificate 10424 allows the use of irrigation, domestic, and stock use from East Pine Creek in Sec. 4, T8S, R46E, WM for irrigation, domestic, and stock use in Sec. 10, T8S, R46E, WM. The applicant proposes an additional point of diversion in Sec. 4, T8S, R46E, WM. Certificate 36813 allows the use of irrigation, domestic, and stock use from East Pine Creek in Sec. 10, T8S, R46E, WM for irrigation, domestic, and stock use in Sec. 10, T8S, R46E, WM. The applicant proposes an additional point of diversion in Sec. 4, T8S, R46E, WM. Certificate 46652 allows the use of irrigation and stock use from East Pine Creek in Sec. 10, T8S, R46E, WM for irrigation and stock use in Sec. 10, T8S, R46E, WM. The applicant proposes an additional point of diversion in Sec. 4, T8S, R46E, WM. Certificate 85796 allows the use of irrigation, domestic, and stock use from East Pine Creek in Sec. 10, T8S, R46E, WM for irrigation, domestic, and stock use in Sec. 10, T8S, R46E, WM. The applicant proposes an additional point of diversion in Sec. 4, T8S, R46E, WM. Certificate 95484 allows the use of irrigation, domestic, and stock use from East Pine Creek in Sec. 4, T8S, R46E, and Sec. 32, T7S, R46E, WM for irrigation, domestic, and stock use in Sects. 3 and 10, T8S, R46E, WM. The applicant proposes an additional point of diversion in Sec. 4, T8S, R46E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Notice of District Permanent Transfer for Place of Use

A district may allow a change in place of use prior to the Department issuing a final order approving a district permanent transfer application provided, in part, that (1) the District files a notice with the Department of the change in place of use prior to making the change, and (2) prior to the end of the calendar year in which the change in place of use occurs the District submits a district permanent transfer application for the same change in place of use [ORS 690-385-4100(1)(a) and (b)]. Notices for District Permanent Transfers for Place of Use submitted to the Department are listed below.

Notice **2023-001**
County Deschutes
Certificate 94956, 76714
Priority Date 10/31/1900; 12/2/1907; 2/28/1913
Name CENTRAL OREGON IRRIGATION DISTRICT
Address 1055 S.W. LAKE CT
REDMOND, OR 97756
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES
Acres: 0.90
Authorized POU: T15S R13E 03 NWSW
Proposed POU: T17S R12E 11 NWNE

Notice **2023-002**
County Deschutes
Certificate 94956, 76714
Priority Date 10/31/1900; 12/2/1907; 2/28/1913
Name CENTRAL OREGON IRRIGATION DISTRICT
Address 1055 S.W. LAKE CT
REDMOND, OR 97756
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES
Acres: 0.85
Authorized POU: T18S R13E 11 SENE
Proposed POU: T18S R13E 11 SENE

Notice **2023-003**
County Deschutes
Certificate 94956, 76714
Priority Date 10/31/1900; 12/2/1907; 2/28/1913
Name CENTRAL OREGON IRRIGATION DISTRICT
Address 1055 S.W. LAKE CT
REDMOND, OR 97756
Use IRRIGATION; SUPPLEMENTAL IRRIGATION
Source DESCHUTES R > COLUMBIA R
CRANE PRAIRIE RES > DESCHUTES
Acres: 0.31
Authorized POU: T18S R13E 02 NESE
Proposed POU: T18S R13E 02 NESE

Water Management and Conservation Plans

The Department is required to give notice and to invite public review and comment on Water Management and Conservation Plans submitted pursuant to OAR Chapter 690, Division 086. The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

Any person may review and comment on a draft plan on or before February 16, 2023.

The plans may be viewed electronically at [WMCP Public Notice](#). Comments must cite specific provisions of concern in the draft plan, describe how each of the provisions cited do or do not satisfy the requirements of OAR Chapter 690, Division 086, suggest any modification in each provision that would be necessary to satisfy the relevant requirement, and include information to support any suggested modifications.

Plans have been submitted by the following agricultural and municipal water suppliers:

City of Dayton (Municipal)

To review any of the above plan(s) or to provide comments on the plan(s), contact Tamera Smith at 458-253-0597 or Tamera.L.Smith@water.oregon.gov.

Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

Cert# [96806](#)
App: G-7695
County/Basin Klamath / Klamath (14)
Applicant Name CITY OF KLAMATH FALLS
Priority Date 06/10/1977
Issue Date 01/13/2023

Cert# [96805](#)
App: S-88410
County/Basin Douglas / Umpqua (16)
Applicant Name HUSEN, MARVIN
HUSEN, JANET
Priority Date 05/15/2017
Issue Date 01/13/2023

Cert# [96085](#)
App: G-11704
County/Basin Clackamas / Willamette (2)
Applicant Name ISELI, ANDRE
Priority Date 09/30/1987
Issue Date 01/13/2023

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

January 17, 2023

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.