

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
March 21, 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](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.
- \* **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- \* **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.)
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **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.
- \* **Transfer Applications: Temporary Transfers**  
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.
- \* **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 Plan Progress Reports**  
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.
- \* **HE 622 Minor Hydroelectric Application**

The Public Notice is published each week on the Department's web site at [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD). If you would like to receive a *free* weekly notification when it is published, please send your request to [Tonya.L.Miller@water.oregon.gov](mailto:Tonya.L.Miller@water.oregon.gov).

**Please note: The Public Notice for March 14, 2023 incorrectly listed several instream water rights as having Proposed Final Orders. There were no Proposed Final Orders for instream water rights issued that week. The Public Notice for February 7, 2023 and February 28, 2023 notified the issuance of Initial Reviews for instream water rights. These were displayed correctly under the Initial Review section, but also shown incorrectly later in the publication under the heading of Proposed Final Orders. We apologize for the inconvenience.**

## 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, April 20, 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, May 05, 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-88757](#)  
County/Basin Coos / South Coast (17)  
Applicant Name SCHAFFER, DANIEL E.  
SCHAFFER, DEBORAH S.  
910 SOUTH FRONT ST  
CENTRAL POINT, OR 97502  
Sources/TRSQ40Q160 TENMILE LAKE > TENMILE CREEK / 23.00S 12.00W 17 NWSE  
Use/Quantity HUMAN CONSUMPTION / 0.005 CFS  
Priority Date 03/13/2019  
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-88915](#)  
County/Basin Washington / Willamette (2)  
Applicant Name CITY OF BANKS  
POC: JOLYNN BECKER  
13680 NW MAIN ST  
BANKS, OR 97106  
Sources/TRSQ40Q160 WEST FORK DAIRY CREEK > DAIRY CREEK / 2.00N 4.00W 36 NENE  
Use/Quantity MUNICIPAL USES / 2.000 CFS  
Priority Date 01/22/2021  
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-89269](#)  
County/Basin Coos / South Coast (17)  
Applicant Name MCDANIEL, SUZIE  
MCDANIEL, WILLIAM  
740 S 12TH ST  
COOS BAY, OR 97420  
Sources/TRSQ40Q160 NORTH TENMILE LAKE > TENMILE CREEK / 23.00S 12.00W 9 NENW  
Use/Quantity HUMAN CONSUMPTION / 0.005 CFS  
Priority Date 09/12/2022  
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-89337](#)  
County/Basin Columbia / Willamette (2)  
Applicant Name KESSI, PATRICK H.  
KESSI, MARY K.  
3330 NW YEON AVE. SUITE 120  
PORTLAND, OR 97056  
Sources/TRSQ40Q160 MULTNOMAH CHANNEL > COLUMBIA RIVER / 3.00N 1.00W 19 NWNE  
Use/Quantity NURSERY USES / 0.520 CFS  
Priority Date 02/15/2023  
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-18549](#)  
County/Basin Jackson / Rogue (15)  
Applicant Name DW PROPERTY INVESTMENT LLC  
WANG, WEI  
3000 BEAGLE RD  
WHITE CITY, OR 97503  
Priority Date 08/14/2017  
Issue Date 03/10/2023  
Status DENIED

App# [G-19000](#)  
County/Basin Columbia / Willamette (2)  
Applicant Name CITY OF SCAPPOOSE  
33568 E COLUMBIA AVE  
SCAPPOOSE, OR 97056  
Priority Date 06/22/2020  
Issue Date 03/10/2023  
Status APPROVED

App# [LL-1829](#)  
County/Basin Jackson / Rogue (15)  
Applicant Name FISHER, JACOB  
1424 N RIVER RD  
GOLD HILL, OR 97524  
Issue Date 03/21/2023  
Status WITHDRAWN

App# [R-88795](#)  
County/Basin Jackson / Rogue (15)  
Applicant Name F AND A RANCH TRUST  
GELWARG, STUART  
200 PARK AVENUE SOUTH  
8TH FLOOR  
NEW YORK, NY 10003  
Priority Date 01/24/2020  
Issue Date 03/17/2023  
Status DENIED

App# [R-88796](#)  
County/Basin Jackson / Rogue (15)  
Applicant Name THE CABIN CANYON INVESTMENT TRUST  
GELWARG, STUART  
200 PARK AVENUE SOUTH  
8TH FLOOR  
NEW YORK, NY 10003  
Priority Date 01/24/2020  
Issue Date 03/17/2023  
Status DENIED

App# [R-88881](#)  
County/Basin Baker / Powder (9)  
Applicant Name DEROEST, RON  
18383 GIFFIN GULCH LANE  
BAKER CITY, OR 97814  
Priority Date 10/13/2020  
Issue Date 03/17/2023  
Status DENIED

App# [R-89244](#)  
County/Basin Josephine / Rogue (15)  
Applicant Name MORRIS, COLIN  
4607 PHEASANT LANE  
MONTAGUE, CA 96064  
Priority Date 06/27/2022  
Issue Date 03/10/2023  
Status DENIED

App# [R-89245](#)  
County/Basin Polk / Willamette (2)  
Applicant Name HARRIS, DAVID  
261 RIDGEWOOD AVE  
GLEN RIDGE, NJ 07028  
Priority Date 06/27/2022  
Issue Date 03/17/2023  
Status APPROVED

App# [S-89195](#)  
County/Basin Douglas / Umpqua (16)  
Applicant Name COURON FAMILY TRUST  
121 MELTON RD  
ROSEBURG, OR 97470  
Priority Date 12/27/2021  
Issue Date 03/17/2023  
Status APPROVED

App# [S-89289](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name ADELSHEIM VINEYARD  
16800 NE CALKINS LANE  
NEWBERG, OR 97132  
Priority Date 10/31/2022  
Issue Date 03/10/2023  
Status DENIED

## **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 May 20, 2023.**

App#	<a href="#">R-89349</a>
County/Basin	Yamhill / Willamette (2)
Applicant Name	GUILLIAMS, JOHN 21838 NW GERRISH VALLEY RD YAMHILL, OR 97148
Sources/TRSQ40Q160	RUNOFF > SALT CREEK / 2.00S 4.00W 29 NWNW
Use/Quantity	MULTIPLE PURPOSE / 11.300 AF
Priority Date	03/15/2023



## Establishment of Mitigation Credits in the Deschutes Basin

ORS 537.746 authorizes the Department to award mitigation credits in the Deschutes Basin to approved mitigation projects. Mitigation credits may be used in the Deschutes Basin, specifically the Deschutes Ground Water Study Area, to mitigate for the impacts of ground water use on surface water flows. Pursuant to OAR Chapter 690, Division 521, upon receipt of notification of a mitigation project, the Department shall give public notice of the intent to establish mitigation credits.

The public is invited to comment on establishment of mitigation credits for the project(s) described below. Comments must be received within 21 days of the date of this public notice. Comments should address the award of mitigation credits to the proposed project and its use for mitigation purposes. Included in this public notice is a preliminary determination as to the amount of mitigation credits that may be available from the proposed project.

Deschutes County Mitigation Project #: Project Applicant:	<b>MP-292</b> Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of multiple landowners
Mitigation Project And Process:	Instream Lease Application IL-1945 which is located in the Instream Lease Section of this public notice
Subbasin/Source:	Middle Deschutes subbasin - Deschutes River tributary to the Columbia River
Amount of Water:	up to 1.794 Cubic Foot per Second and 797.76 Acre-Feet
Current Use:	Irrigation of 84.59 acres from POD 11
Credits Assigned to:	Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation Credit Determination:	152.3 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact
Contact:	Sarah Henderson (503) 979-9872
Deschutes County Mitigation Project #: Project Applicant:	<b>MP-293</b> Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of multiple landowners
Mitigation Project And Process:	Instream Lease Application IL-1946 which is included in this public notice in the Instream Lease Section
Subbasin/Source:	Middle Deschutes subbasin - Deschutes River tributary to the Columbia River
Amount of Water:	up to 1.863 Cubic Foot per Second and 837.37 Acre-Feet
Current Use:	Irrigation of 85.375 acres from POD 1
Credits Assigned to:	Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation Credit Determination:	153.7 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact
Contact:	Sarah Henderson (503) 979-9872

Deschutes County  
Mitigation Project #: **MP-294**  
Project Applicant: Deschutes River Conservancy Mitigation Bank and Central Oregon Irrigation District on behalf of multiple landowners

Mitigation Project  
And Process: Instream Lease Application IL-1948 which is included in this public notice in the Instream Lease Section

Subbasin/Source: Middle Deschutes subbasin - Deschutes River tributary to the Columbia River  
Amount of Water: up to 2.723 Cubic Foot per Second and 1223.66 Acre-Feet  
Current Use: Irrigation of 124.76 acres from POD 1  
Credits Assigned to: Deschutes River Conservancy Mitigation Bank  
Preliminary Mitigation  
Credit Determination: 224.6 mitigation credits that may be available for use in the Middle Deschutes and/or General Zones of Impact

Contact: Sarah Henderson (503) 979-9872

**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 April 20, 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-12658](#)  
Permit Number G-12195  
County/Basin Curry / South Coast (17)  
Applicant Name FRASER II, RODERICK A.  
1320 N MANZANITA ST  
ORANGE, CA 92867  
Sources/TRSQ40Q160 A WELL > SIXES RIVER / 31.00S 15.00W 32 SWNW  
SUMP > SIXES RIVER / 31.00S 15.00W 32 SWNW  
Use/Quantity CRANBERRY / 3.750 CFS  
Proposed Completion Date 10/01/2001

App# [S-70937](#)  
Permit Number S-52014  
County/Basin Clackamas / Sandy (3)  
Applicant Name WAPANITIA HOMEOWNERS ASSOCIATION  
4135 SW 45TH AVE  
PORTLAND, OR 97221  
Sources/TRSQ40Q160 A SPRING > SALMON RIVER / 4.00S 9.00E 5 NWNW  
Use/Quantity HUMAN CONSUMPTION / 0.100 CFS  
Proposed Completion Date 10/01/2033

App# [S-71210](#)  
Permit Number S-52445  
County/Basin Baker / Powder (9)  
Applicant Name NORTHWEST FARM CREDIT SERVICES FLCA  
3370 10TH ST SUITE B  
BAKER CITY, OR 97814  
PHILLIPS RANCH INC.  
27764 HWY 86  
BAKER CITY, OR 97814  
Sources/TRSQ40Q160 SPRINGS > POWDER RIVER / 8.00S 42.00E 26 NESE  
Use/Quantity SUPPLEMENTAL IRRIGATION / 1.000 CFS  
Proposed Completion Date 10/01/2023

App# [S-88145](#)  
Permit Number S-54992  
County/Basin Douglas / Umpqua (16)  
Applicant Name KYLIX VINEYARDS OREGON LLC  
PO BOX 12958  
SAN LUIS OBISPO, CA 93406  
Sources/TRSQ40Q160 LOOKINGGLASS CREEK > SOUTH UMPQUA RIVER / 28.00S 7.00W 27 NWNE  
A RESERVOIR > BERRY CREEK / 29.00S 7.00W 20 SENW  
Use/Quantity IRRIGATION / 107.000 AF  
Proposed Completion Date 10/01/2026

App# [G-18206](#)  
Permit Number G-17800  
County/Basin Malheur / Malheur (10)  
Applicant Name KESLER FARMS INC.  
KESLER, PAUL  
KESLER, SCOTT  
3331 GREY BLVD  
NYSSA, OR 97913  
Sources/TRSQ40Q160 A WELL > SNAKE RIVER BASIN / 19.00S 46.00E 14 SWNE  
A WELL > SNAKE RIVER BASIN / 19.00S 46.00E 14 NWSW  
Use/Quantity SUPPLEMENTAL IRRIGATION / 3.560 CFS  
Proposed Completion Date 10/01/2025

App# [G-18286](#)  
Permit Number G-17819  
County/Basin Marion / Willamette (2)  
Applicant Name ED LANDHOLDING LLC  
DITCHEN, ERIC  
7385 HOWELL PRAIRIE RD NE  
SILVERTON, OR 97381  
Sources/TRSQ40Q160 A WELL > PATTERSON CREEK BASIN / 6.00S 2.00W 4 SWNW  
A WELL > PATTERSON CREEK BASIN / 6.00S 2.00W 5 SESE  
A WELL > PATTERSON CREEK BASIN / 6.00S 2.00W 4 NWSW  
Use/Quantity IRRIGATION / 2.3298 CFS  
Proposed Completion Date 10/01/2024

App# [G-18257](#)  
Permit Number G-17953  
County/Basin Jackson / Rogue (15)  
Applicant Name WATKINS, DALE  
16189 RAMSEY RD  
WHITE CITY, OR 97503  
WHAT THE HILL LLC  
16335 RAMSEY RD  
WHITE CITY, OR 97503  
Sources/TRSQ40Q160 A WELL > EVANS CREEK BASIN / 34.00S 2.00W 31 NENE  
Use/Quantity NURSERY USES / 0.023 CFS  
Proposed Completion Date 10/01/2023

App# [G-18426](#)  
Permit Number G-17932  
County/Basin Clackamas / Willamette (2)  
Applicant Name DICKMAN FARMS INC.  
15829 MOUNT ANGEL HWY NE  
SILVERTON, OR 97381  
Sources/TRSQ40Q160 A WELL > DOVE CREEK BASIN / 4.00S 2.00E 29 SWSW  
A WELL > DOVE CREEK BASIN / 4.00S 2.00E 30 SESE  
Use/Quantity IRRIGATION / 1.180 CFS  
Proposed Completion Date 10/01/2028

App# [G-18457](#)  
Permit Number G-17965  
County/Basin Marion / Willamette (2)  
Applicant Name ELDER, TOM  
ELDER, MARY  
PO BOX 335  
WOODBURN, OR 97071  
Sources/TRSQ40Q160 A WELL > LITTLE PUDDING RIVER BASIN / 6.00S 2.00W 28 SWSE  
Use/Quantity IRRIGATION / 0.225 CFS  
Proposed Completion Date 10/01/2026

App# [G-14021](#)  
Permit Number G-18131  
County/Basin Tillamook / North Coast (1)  
Applicant Name NANTUCKET SHORES WATER CO.  
PO BOX 999  
PACIFIC CITY, OR 97135  
Sources/TRSQ40Q160 A WELL > NORTH COAST BASIN / 4.00S 11.00W 13 SENE  
Use/Quantity QUASI-MUNICIPAL USES / 0.0 CFS  
Proposed Completion Date 10/01/2042

**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 April 20, 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# [G-15210](#)  
Permit Number G-17665  
County/Basin Morrow / Umatilla (7)  
Applicant Name THREEMILE CANYON FARMS LLC  
75906 THREEMILE RD  
BOARDMAN, OR 97818  
Use AGRICULTURE USES

App# [G-17109](#)  
Permit Number G-16920  
County/Basin Washington / Willamette (2)  
Applicant Name IWASAKI BROS INC.  
2555 SE MINTER BRIDGE RD  
HILLSBORO, OR 97123-5299  
Use NURSERY USES

## Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

**The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is April 11, 2023.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department. If you have questions or comments please contact the Lease Specialist at 503-986-0898.

Lease# [IL-1945](#)  
Certificate 94956  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
700 NW HILL ST STE 1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-1946](#)  
Certificate 94956  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
700 NW HILL ST STE 1  
BEND, OR 97703

Priority Date 10/31/1900  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-1951](#)  
Certificate 95504 (T-13414)  
Lessor WHEELER, ONEEA  
632 PORTSIDE CT  
LAFAYETTE, CO 80026

Priority Date 11/17/1920  
Source/Tributary To COW CREEK / SOUTH UMPQUA RIVER

Lease# [IL-1947](#)  
Certificate 94956  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE #1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-1948](#)  
Certificate 94956  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY MITIGATION BANK  
700 NW HILL ST STE 1  
BEND, OR 97703

Priority Date 10/31/1900  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-1949](#)  
Certificate 94956  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE #1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER

Lease# [IL-1950](#)  
Certificate 94956  
Lessor TALBOTT, JESSICA  
CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

Lessee HUBERT, GENEVIEVE  
DESCHUTES RIVER CONSERVANCY  
700 NW HILL ST STE #1  
BEND, OR 97703

Priority Date 10/31/1900, 12/02/1907  
Source/Tributary To DESCHUTES RIVER / COLUMBIA RIVER



## 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 April 20, 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-14184](#)  
Water Right Cert: 33785  
County/Basin Yamhill / Willamette (2)  
Applicant Name KUEHNE, PAUL  
WILLAMETTE VALLEY LAND LLC  
PO BOX 99  
LAFAYETTE, OR 97127  
Proposed Change USE  
Sources/TRSQ40Q160 UNNAMED STREAM > WILLAMETTE RIVER / 4.00S 3.00W 3 SESE  
Use/Quantity LIVESTOCK / 3.000 AF  
Priority Date 02/26/1963

Transfer [T-14185](#)  
Water Right Cert: 93746  
County/Basin Washington / Willamette (2)  
Applicant Name OREGON CANADIAN FOREST PRODUCT INC.  
31950 NW COMMERCIAL ST.  
NORTH PLAINS, OR 97133  
Proposed Change POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > MCKAY CREEK BASIN / 1.00N 3.00W 2 NESE  
Use/Quantity INDUSTRIAL/MANUFACTURING USES / 0.420 CFS  
Priority Date 04/25/1990

Transfer [T-14189](#)  
Water Right Cert: 96789  
County/Basin Marion / Willamette (2)  
Applicant Name ERNST, BRUCE  
PO BOX 460  
SAINT PAUL, OR 97137  
Proposed Change ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 A WELL > MISSION CREEK BASIN / 4.00S 2.00W 4 SWSE  
Use/Quantity NURSERY USES / 1.7799 CFS  
Priority Date 05/12/2004

Transfer [T-14190](#)  
Water Right Cert: 45979, 56862, 57371 (T-3832)  
County/Basin Polk, Yamhill / Willamette (2)  
Applicant Name HURST, MARK  
HBF ENTERPRISES  
23301 SW MCKIBBEN RD  
SHERIDAN, OR 97378  
Proposed Change POINT OF DIVERSION, ADDITIONAL POINT OF DIVERSION, PLACE OF USE  
Sources/TRSQ40Q160 SOUTH YAMHILL RIVER > YAMHILL RIVER / 5.00S 5.00W 31 NWSW  
Use/Quantity IRRIGATION / 0.160 CFS  
IRRIGATION / 1.430 CFS  
IRRIGATION / 0.660 CFS  
Priority Date 09/25/1969, 04/29/1974, 09/25/1969

Transfer [T-14191](#)  
Water Right Cert: 62014  
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  
Sources/TRSQ40Q160 A WELL > HARNEY LAKE / 26.00S 30.00E 1 SENW  
Use/Quantity IRRIGATION / 0.500 CFS  
Priority Date 05/26/1983

## **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 April 20, 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-13724](#) filed by Robert Kim Reed and Karen R. Reed, 50900 Masten Rd, La Pine, OR 97739, proposes a change in point of diversion and a change in place of use under Certificate 95245. The right allows the use of 0.10 cubic foot per second from Big Marsh Creek in Sec. 20, T24S, R7E, WM for irrigation in Sec. 22, T24S, R7E, WM. The applicant proposes to move the point of diversion to Sec. 25, T22S, R9E, WM and to change the place of use to Sec. 25, T22S, R9E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14082](#) filed by Shane Otley and Crystal Otley, 67976 Oil Well Rd, Burns, OR 97720, proposes additional points of appropriation and changes in places of use under Certificates 32082 and 94169. Certificate 32082 allows the use of 0.33 cubic foot per second from a well in Sec. 5, T24S, R32E, WM for irrigation in Sec. 5, T24S, R32E, WM. The applicant proposes additional points of appropriation in Sec. 5, T24S, R32E, WM and to change the place of use within Sec. 5, T24S, R32E, WM. Certificate 94169 allows the use of 1.25 cubic feet per second from a well in Sec. 5, T24S, R32E, WM for irrigation in Sec. 5, T24S, R32E, WM. The applicant proposes additional points of appropriation in Sec. 5, T24S, R32E, WM and to change the place of use within Sec. 5, T24S, R32E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## Transfer Applications: Temporary Transfer

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation. The Department shall approve the request provided it does not cause injury to existing water rights or enlarge the water use. If after the change is approved, it is found to cause injury, the approved change may be revoked. The use of water reverts to the authorized place of use upon expiration of the temporary change.

Notice is given that the following applications for Temporary Transfers have been received by the Department:

Transfer	<a href="#">T-14188</a>
Water Right	Cert: 22344
County/Basin	Marion / Willamette (2)
Applicant Name	MK FARMS INC. 7991 STRATFORD DR. NE SALEM, OR 97305
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	PUDDING RIVER > MOLALLA RIVER / 6.00S 1.00W 8 NESW PUDDING RIVER > MOLALLA RIVER / 6.00S 1.00W 8 NESE
Use/Quantity	IRRIGATION / 0.460 CFS
Priority Date	03/13/1951

## Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	<a href="#">T-14183</a>
Water Right	Inchoate: T-9720 (REG), T-14183 (AMN) {Changes WR}
County/Basin	Jefferson / Deschutes (5)
Applicant Name	DESCHUTES VALLEY WATER DISTRICT; ATTN: JOEL GEHRETT 881 SW CULVER HWY MADRAS, OR 97741
Proposed Change	POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	A WELL > CROOKED RIVER / 12.00S 12.00E 33 SWNE A WELL > CROOKED RIVER / 12.00S 12.00E 33 NWSE
Use/Quantity	QUASI-MUNICIPAL USES / 10.3797 CFS
Priority Date	12/29/1971

## 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	<b>2023-008</b>
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:	1.00
Authorized POU:	T15S R14E 13 SWNW, SENW
Proposed POU:	T15S R15E 05 NWSW
Notice	<b>2023-009</b>
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:	8.64
Authorized POU:	T18S R13E 03 SWNE
Proposed POU:	T17S R14E 24 NWNW; T18S R13E 04 NWNE
Notice	<b>2023-010</b>
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:	16.19
Authorized POU:	T17S R12E 27, SWSW, SESW; 18S R14E 07 NENE, SESE
Proposed POU:	18S R14E 07 SENE, NESE

## 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#	<a href="#"><u>96931</u></a>
Xfer:	T-12466
County/Basin	Douglas / Umpqua (16)
Applicant Name	ELK CREEK FARM LLC
Priority Date	06/08/1951
Issue Date	03/17/2023

Cert#	<a href="#"><u>96932</u></a>
Xfer:	T-12466
County/Basin	Douglas / Umpqua (16)
Applicant Name	ELK CREEK FARM LLC
Priority Date	12/13/1979
Issue Date	03/17/2023

## **Water Management and Conservation Plan Progress Reports**

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice.

Progress reports have been submitted by the following municipal supplier(s):

### **City of Albany (Municipal)**

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



## **Application For A Minor Hydroelectric Project**

The Oregon Water Resources Department seeks public comment on the following application for a new minor hydroelectric project in Wallowa County. Comments must be submitted within 30 days of publication of the original notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application, please contact Craig Kohanek (503) 979-3185 or [ron.c.kohanek@water.oregon.gov](mailto:ron.c.kohanek@water.oregon.gov) A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application:	<b>HE 622</b>
Applicant:	Bob & Judy Goodman
Address:	60515 Liberty Road, Joseph, OR 97846
Amount of water:	1.2 cubic feet per second,
Gross head:	75 feet.
Source of water:	Upper Prairie Creek, eventually tributary to Wallowa River
Location of the	
Points of Diversion:	NW ¼ SE ¼ of Section 23, Township 3 South, Range 45 East, W.M., Wallowa Count
Place of Use:	NW ¼ SE ¼ of Section 23, Township 3 South, Range 45 East, W.M., Wallowa County
Power developed:	10.2 Theoretical horsepower for residential net-metering with local utility.
Power Use:	Residential net-metered with local utility.

**Comments are Due April 14, 2023**

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
March 21, 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:**

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\* 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.