

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 16, 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.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **Emergency Water Use (Drought) Applications (OAR 690-019-0040)**
Applications for emergency water use permits to use surface water or groundwater during a drought declared under ORS 536.740.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Applications for Extensions of Time to Perfect Water Right Permits**
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- * **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: District Permanent for Place of Use - ORS 540.580**
Petitions requesting permanent changes in place(s) of use within a district's boundary.
- * **Transfer Applications: District Temporary - ORS 540.570**
Petitions requesting temporary changes in water use within a district's boundary for one irrigation season.
- * **Ground Water Registration Modifications**
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- * **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

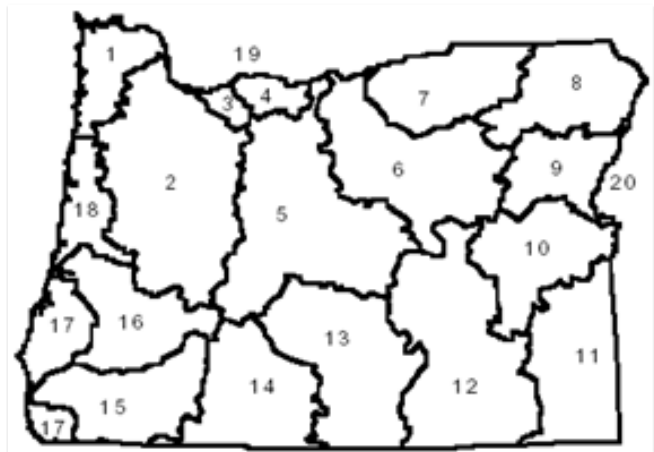
Unit of measure:

- 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, June 15, 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, June 30, 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#	R-88574
County/Basin	Wheeler / John Day (6)
Applicant Name	HALE, JODY & RICK 73426 HWY 207 ECHO, OR 97826
Sources/TRSQ40Q160	RUNOFF > LONE ROCK CREEK / 6.00S 24.00E 16 NENW SPRINGS > LONE ROCK CREEK / 6.00S 24.00E 9 NWSE BROWN CREEK > LONE ROCK CREEK / 6.00S 24.00E 15 NWNW RUNOFF > LONE ROCK CREEK / 6.00S 24.00E 9 SWSE RUNOFF > LONE ROCK CREEK / 6.00S 24.00E 9 NWSE RUNOFF > LONE ROCK CREEK / 6.00S 24.00E 16 NENE
Use/Quantity	LIVESTOCK / 35.21 AF
Priority Date	04/12/2018
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-89204
County/Basin	Jackson / Rogue (15)
Applicant Name	NAVICKAS, JOANNE 2060 MILL CREEK DRIVE PROSPECT, OR 97536
Sources/TRSQ40Q160	A DITCH > ROGUE RIVER / 33.00S 2.00E 3 SESE
Use/Quantity	DOMESTIC / 0.005 CFS
Priority Date	01/18/2022
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-89246
County/Basin	Jackson / Rogue (15)
Applicant Name	SHORES, TAMARA & TERRY PO BOX 2022 ROGUE RIVER, OR 97537
Sources/TRSQ40Q160	NORTH FORK QUEENS BRANCH CREEK > QUEENS BRANCH / 35.00S 4.00W 17 NWNW
Use/Quantity	HUMAN CONSUMPTION / 0.005 CFS
Priority Date	06/30/2022
Stage/Status	PFO / PROPOSE TO APPROVE
App#	S-89355
County/Basin	Yamhill / Willamette (2)
Applicant Name	CARLTON HUB 15990 RED SHOT LANE CARLTON, OR 97111
Sources/TRSQ40Q160	ZAERPOOR, CHRISSIE & KOOROSH 15713 HWY 47 YAMHILL, OR 97148
Use/Quantity	YAMHILL CREEK > YAMHILL RIVER / 3.00S 4.00W 9 NWNE IRRIGATION / 0.027 CFS
Priority Date	04/17/2023
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 503-986-0900.

App#	LL-1917
County/Basin	Deschutes / Deschutes (5)
Applicant Name	DELASHMUTT, KAMERON 2447 NW CANYON DR REDMOND, OR 97756
Issue Date	05/08/2023
Status	WITHDRAWN
App#	LL-1948
County/Basin	Klamath / Klamath (14)
Applicant Name	KIEWIT INFRASTRUCTURE WEST CO. 2200 COLUMBIA HOUSE BLVD VANCOUVER, WA 98661
Issue Date	05/05/2023
Status	APPROVED
App#	LL-1951
County/Basin	Polk / Willamette (2)
Applicant Name	KUENZI, ART 7975 SPRING VALLEY RD NW SALEM, OR 97304
Issue Date	05/10/2023
Status	APPROVED
App#	S-89138
County/Basin	Douglas / Umpqua (16)
Applicant Name	NARALTO LLC PO BOX 1001 ROSEBURG, OR 97470
Priority Date	06/24/2021
Issue Date	05/12/2023
Status	APPROVED
App#	S-89250
County/Basin	Lincoln / Middle Coast (18)
Applicant Name	JONES, CAROLYN & THOMAS 1917 N BEAVER CREEK RD SEAL ROCK, OR 97376
Priority Date	07/11/2022
Issue Date	05/05/2023
Status	APPROVED

App#	S-89286
County/Basin	Jackson / Rogue (15)
Applicant Name	FOX, BARBARA J. GREEN, JAMES P. 151 FIELDER LANE GRANTS PASS, OR 97526
Priority Date	10/21/2022
Issue Date	05/12/2023
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 **June 15, 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.

App#	S-89363
County/Basin	Polk / Willamette (2)
Applicant Name	MCKIBBEN, DAVID MCKIBBEN, BETTE DAVID AND BETTE MCKIBBEN TRUST 3415 BALLARD RD DALLAS, OR 97338
Sources/TRSQ40Q160	A RESERVOIR > ASH CREEK / 8.00S 5.00W 10 NWSE
Use/Quantity	IRRIGATION / 13.000 AF
Priority Date	05/01/2023

Emergency Water Use (Drought) Applications (OAR 690-019-0040)

When a drought is declared under ORS 536.740, the Director is authorized to issue emergency use permits to replace water not available under an existing right because of the drought. The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. OAR 690-019-0040(3). In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and 690-310-0130; and

- a) The need for water because of the drought emergency; and
- b) The short-term nature of the proposed emergency use.

The following is a list of emergency water use permit applications recently filed, or which have recently received a final order, pursuant to OAR 690-019-0040. For any emergency use permits issued, the expiration date will not exceed the term of the Governor's declared drought or one year. The Director will consider all comments received concerning the use, or proposed use, under the emergency use permit throughout the life of the permit. (OAR 690-019-0040(4)(b))

App#	G-19358
County/Basin	Jefferson / Deschutes (5)
Applicant Name	DERSTINE, TREVOR S. DERSTINE, REGINA KAYE 2285 SW IRIS LANE CULVER, OR 97734
Sources/TRSQ40Q160	A WELL > CROOKED RIVER / 12.00S 13.00E 21 SENE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 1.250 CFS
Priority Date	03/20/2023
Issue Date	05/08/2023
Status	APPROVED
App#	G-19359
County/Basin	Crook / Deschutes (5)
Applicant Name	BRIAN BARNEY AND LAURA WILLOUGHBY BARNEY TRUST TRIANGLE OUTFIT INC. 910 NE JOHNSON CREEK RD PRINEVILLE, OR 97754
Sources/TRSQ40Q160	A WELL > OCHOCO CREEK / 14.00S 16.00E 36 NWSW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 0.557 CFS
Priority Date	03/22/2023
Issue Date	05/02/2023
Status	APPROVED
App#	G-19366
County/Basin	Crook / Deschutes (5)
Applicant Name	CORE BOTANICA PROCESSORS LLC 5549 NW LONE PINE RD TERREBONNE, OR 97760
Sources/TRSQ40Q160	A WELL > CROOKED RIVER / 14.00S 14.00E 17 SESE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 1.510 CFS
Priority Date	05/01/2023
Status	Under Review

App# [G-19368](#)
County/Basin Jefferson / Deschutes (5)
Applicant Name BROKEN TOP FAMILY FARMS LLC
DERSTINE, MATT
7668 SW LASALLE LANE
CULVER, OR 97734
Sources/TRSQ40Q160 A WELL > CROOKED RIVER / 12.00S 12.00E 34 SESW
Use/Quantity SUPPLEMENTAL IRRIGATION / 1.75 CFS
Priority Date 05/05/2023
Status Under Review

App# [G-19369](#)
County/Basin Crook / Deschutes (5)
Applicant Name SANTUCCI RANCH LLC
SANTUCCI, BRAD
SANTUCCI, SHELLEY
960 NE DRY CREEK RD
PRINEVILLE, OR 97754
Sources/TRSQ40Q160 A WELL > CROOKED RIVER / 14.00S 16.00E 8 SESW
A WELL > CROOKED RIVER / 14.00S 16.00E 8 NWNE
Use/Quantity SUPPLEMENTAL IRRIGATION / 2.68 CFS
Priority Date 05/08/2023
Status Under Review

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 July 15, 2023.

App#	R-89364
County/Basin	Yamhill / Willamette (2)
Applicant Name	SOTER, ANTHONY SOMAR RANCHES PO BOX 430 CARLTON, OR 97111
Sources/TRSQ40Q160	RUNOFF > HAWN CREEK / 3.00S 4.00W 23 SENE
Use/Quantity	STORAGE / 3.500 AF
Priority Date	05/08/2023

**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 June 15, 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# [S-88301](#)
Permit Number S-55132
County/Basin Douglas / Umpqua (16)
Applicant Name YOUNG, LAUREN D.
2460 NE STEPHENS
ROSEBURG, OR 97470
Sources/TRSQ40Q160 NORTH UMPQUA RIVER > UMPQUA RIVER / 26.00S 6.00W 33 NWNW
Use/Quantity DOMESTIC EXPANDED / 0.010 CFS
Proposed Completion Date 10/01/2027

App# [G-17879](#)
Permit Number G-18832
County/Basin Grant / Malheur Lake (12)
Applicant Name SILVIES VALLEY RANCH WATER CO. LLC
40000 E COWBOY LANE
SENECA, OR 97873
Sources/TRSQ40Q160 A WELL > SILVIES RIVER BASIN / 17.00S 31.00E 27 NWSW
A WELL > SILVIES RIVER BASIN / 17.00S 31.00E 27 NWSE
A WELL > SILVIES RIVER BASIN / 17.00S 31.00E 26 NWSE
Use/Quantity QUASI-MUNICIPAL USES / 3.9 CFS
Proposed Completion Date 10/01/2072

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 June 30, 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.

1.) OAR-690-315

App#	S-88145
Permit#	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

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 June 06, 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-1585
Certificate	36696
Name	SMITH, GARY PO BOX 715 ELGIN, OR 97827
Priority Date	01/13/1966
Source/Tributary To	CLARKS CREEK / GRANDE RONDE RIVER
Priority Date	08/04/1909

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 June 15, 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-14232](#)
Water Right Cert: 95195, 95197
County/Basin Harney / Malheur Lake (12)
Applicant Name ROOT, ANDY J.
RATTLESNAKE CREEK LAND & CATTLE CO LLC
524 HWY 20 N
HINES, OR 97738
Proposed Change ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160 A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 33 NENW
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 33 NWSE
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 34 NESW
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 34 SENE
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 34 NWNW
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 33 NWNW
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 32 NENE
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 34 SESE
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 33 SWNE
A WELL > RATTLESNAKE CREEK BASIN / 22.00S 32.50E 33 NESW
Use/Quantity IRRIGATION / 19.874 CFS
Priority Date 02/02/1998, 12/22/1998, 03/12/1999

Transfer [T-14235](#)
Water Right Cert: 95641
County/Basin Marion / Willamette (2)
Applicant Name BUCK, CAM
BLUE SKY FARMS
21333 FRENCH PRAIRIE RD
SAINT PAUL, OR 97137
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 A WELL > CHAMPOEG CREEK BASIN / 5.00S 2.00W 10 NENW
Use/Quantity NURSERY USES / 1.810 CFS
Priority Date 12/17/1998

Transfer [T-14237](#)
Water Right Cert: 96669, 96670, 96671
County/Basin Morrow / Umatilla (7)
Applicant Name BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 6 SWSW
WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 27 NENW
WILLOW CREEK > COLUMBIA RIVER / 2.00S 25.00E 1 SWNE
WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 36 SWSW
Use/Quantity IRRIGATION / 2.55 CFS
Priority Date 12/31/1903, 12/31/1883, 12/31/1902, 12/31/1890

Transfer [T-14238](#)
Water Right Cert: 40577
County/Basin Marion / Willamette (2)
Applicant Name HOCKETT FARMS INC.
7746 SAINT PAUL HWY NE
ST PAUL, OR 97137
Proposed Change ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 A WELL > CHAMPOEG CREEK / 5.00S 2.00W 3 SESW
Use/Quantity IRRIGATION / 1.270 CFS
Priority Date 07/01/1966

Transfer [T-14243](#)
Water Right Cert: 25399, 30950
County/Basin Grant / John Day (6)
Applicant Name HUMPHREY, KIRK
PO BOX 354
MOUNT VERNON, OR 97865
Proposed Change POINT OF DIVERSION, ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 FOX CREEK > COTTONWOOD CREEK / 11.00S 30.00E 6 NESW
Use/Quantity LIVESTOCK / 1.068 CFS
IRRIGATION / 0.310 CFS
Priority Date 12/31/1882, 01/26/1959

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 June 15, 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-13928](#) filed by Port of Morrow, Attn: Miff Devin, PO Box 200, Boardman, OR 97818, proposes additional points of appropriation and a change in place of use under Certificate 68545. The right allows the use of 3.0 cubic feet per second from a well in Sec. 10, T4N, R25E, WM for industrial use in Sects. 2, 3, 4, 9, 10, and 11, T4N, R25E, WM. The applicant proposes additional points of appropriation in Sects. 2, 3, 9 and 10, T4N, R25E, WM, WM and to change the place of use to within the service boundaries of the Port of Morrow. 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	T-14233
Water Right	Cert: 42535, 89189
County/Basin	Polk / Willamette (2)
Applicant Name	GREEN SPRING FARMS 8930 SUVER RD MONMOUTH, OR 97361
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 4.00W 18 SESW LUCKIAMUTE RIVER > WILLAMETTE RIVER / 9.00S 4.00W 20 SWNW UNNAMED STREAM > WILLAMETTE RIVER / 9.00S 4.00W 17 NESW UNNAMED STREAM > WILLAMETTE RIVER / 9.00S 4.00W 17 SWSE
Use/Quantity	IRRIGATION / 3.51 CFS
Priority Date	04/05/1968, 08/20/1973
Transfer	T-14234
Water Right	Cert: 40520
County/Basin	Yamhill / Willamette (2)
Applicant Name	CUTTING AND SEKTNAN INC PO BOX 33 MCMINNVILLE, OR 97128
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	DEER CREEK > SOUTH YAMHILL RIVER / 5.00S 5.00W 29 NWSE DEER CREEK > SOUTH YAMHILL RIVER / 5.00S 5.00W 29 NESE
Use/Quantity	IRRIGATION / 1.160 CFS
Priority Date	09/19/1967
Transfer	T-14236
Water Right	Cert: 79795
County/Basin	Wallowa / Grande Ronde (8)
Applicant Name	TERRA RENOVATIO I LLC 67357 PROMISE RD WALLOWA, OR 97885
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	WALLOWA RIVER > GRANDE RONDE RIVER / 1.00N 42.00E 11 SWNW
Use/Quantity	IRRIGATION / 3.750 CFS
Priority Date	06/29/1964

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 June 15, 2023.**

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-14229
County	Morrow
Certificate	96666, 96673, 38861, 42435; Permit S-54980; Permit S-55268
Priority Date	1891 & 1905; 1895; 09/24/1968; 10/31/1968; 01/06/2009; 03/08/2018
Name	WILLOW CREEK DISTRICT IMPROVEMENT CO.
Address	55805 HWY 74 HEPPNER, OR 97836
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	WILLOW CREEK > COLUMBIA R; WELL 1 WITHIN THE WILLOW CREEK BASIN; WILLOW CREEK RESERVOIR (R-10880) > WILLOW CREEK

Transfer	T-14241
County	Marion
Certificate	52253; 68664; 68665; 95820; 96625
Priority Date	06/24/1911; 08/28/1924; 05/14/1909
Name	SANTIAM WATER CONTROL DISTRICT
Address	284 EAST WATER STREET # 1763 STAYTON, OR 97383
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	NORTH SANTIAM RIVER > SANTIAM RIVER

Application for District Temporary Transfer

A district with a manager may request to temporarily change a water use within district boundaries for one irrigation season pursuant to ORS 540.570. District temporary transfers may include a change: (1) in place of use; (2) in type of use of a water right to store water; (3) in type of use from a primary right to a supplemental right; (4) in point of diversion/appropriation to facilitate a change in place of use; (5) in point of diversion in response to an emergency; and (6) from a surface water point of diversion to a ground water appropriation. A district may allow proposed changes to occur upon submission of an Application for District Temporary Water Right Transfer to the Department.

The Department shall approve the request provided it does not cause injury to any existing water right or expand the water use. A district temporary transfer may be conditioned or revoked at any time to avoid injury to other water rights. The use of water reverts to the prior authorized place of use, type of use, point of diversion/appropriation upon expiration of the temporary change.

The Department is requesting public comments on the recently filed district temporary transfer application(s) listed below. Comments may be submitted by any person (please follow the instructions on the last page of this public notice). The Department shall consider all comments that pertain to the potential for injury to an existing water right or to the enlargement of the water use subject to transfer in determining whether to condition, reject or revoke a temporary transfer. **Comments must be received by the Department on or before June 15, 2023.**

To view the district temporary transfer application, click on the link below.

Transfer	T-14225
County	Morrow
Certificate	94871, 94873, 94874
Priority Date	JULY 25, 1973
Name	COLUMBIA IMPROVEMENT DISTRICT
Address	501 COLUMBIA AVE NE BOARDMAN, OR 97808
Use	IRRIGATION
Source	COLUMBIA RIVER > PACIFIC OCEAN

Transfer Applications: Ground Water Registration Modification

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before June 15, 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 recognized 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-14239
Water Right	Claim: GR 2814
County/Basin	Marion / Willamette (2)
Applicant Name	COLEMAN, JOHN P. WESTWOOD FARMS PO BOX 82 ST. PAUL, OR 97137
Proposed Change	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > WILLAMETTE RIVER / 6.00S 3.00W 11 NENW
Use/Quantity	IRRIGATION / 0.668 CFS
Priority Date	03/31/1950

Transfer	T-14240
Water Right	Claim: GR 533
County/Basin	Marion / Willamette (2)
Applicant Name	COLEMAN, JOHN P. WESTWOOD FARMS PO BOX 82 ST. PAUL, OR 97137
Proposed Change	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > WILLAMETTE RIVER / 6.00S 3.00W 11 NWNE
Use/Quantity	IRRIGATION / 0.067 CFS
Priority Date	05/31/1954

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# [97128](#)
Xfer: T-7145
County/Basin Jackson / Rogue (15)
Applicant Name 15877 N APPLGATE ROAD LLC
Priority Date 03/10/1916
Issue Date 05/12/2023

Cert# [97129](#)
Xfer: T-7145
County/Basin Jackson / Rogue (15)
Applicant Name 15877 N APPLGATE ROAD LLC
Priority Date 11/16/1937
Issue Date 05/12/2023

Cert# [97130](#)
Xfer: T-7145
County/Basin Jackson / Rogue (15)
Applicant Name 15877 N APPLGATE ROAD LLC
Priority Date 12/31/1887
Issue Date 05/12/2023

Cert# [97132](#)
Xfer: T-7145
County/Basin Jackson / Rogue (15)
Applicant Name 15877 N APPLGATE ROAD LLC
Priority Date 07/29/1981
Issue Date 05/12/2023

Cert# [97131](#)
Xfer: T-7145
County/Basin Jackson / Rogue (15)
Applicant Name 15877 N APPLGATE ROAD LLC
Priority Date 11/21/1961
Issue Date 05/12/2023

Cert# [97125](#)
Xfer: T-13715
County/Basin Harney / Malheur Lake (12)
Applicant Name BEAUBIEN, RACHEL DANIELLE
BEAUBIEN, KURT ELDON
Priority Date 04/20/1956
Issue Date 05/12/2023

Cert# [97058](#)
Xfer: T-13450
County/Basin Harney / Malheur Lake (12)
Applicant Name DAVIES, LOU WILLIAM
DAVIES, MARY JOSEPHINE
Priority Date 03/14/1977
Issue Date 05/12/2023

Cert# [97050](#)
 Xfer: T-7795
 County/Basin Grant / John Day (6)
 Applicant Name FIELD, RICHARD D.
 Priority Date 12/31/1868
 Issue Date 05/12/2023

Cert# [97061](#)
 Xfer: T-13483
 County/Basin Josephine / Rogue (15)
 Applicant Name FLOWERS OF THE SUN LLC
 HOUDE, CHRISTIAN; FLOWERS OF THE SUN LLC
 Priority Date 12/31/1978
 Issue Date 05/12/2023

Cert# [97126](#)
 App: G-18711
 County/Basin Deschutes / Deschutes (5)
 Applicant Name KLASSEN, JOHNNY LEE
 Priority Date 07/09/2018
 Issue Date 05/12/2023

Cert# [97059](#)
 Xfer: T-11414
 County/Basin Umatilla / Umatilla (7)
 Applicant Name MADISON RANCHES LAND III LLC
 Priority Date 09/30/1957
 Issue Date 05/12/2023

Cert# [97051](#)
 Xfer: T-12665
 County/Basin Baker / Powder (9)
 Applicant Name MARKS, LOUIS E.
 Priority Date 08/11/1924
 Issue Date 05/12/2023

Cert# [97052](#)
 Xfer: T-12665
 County/Basin Baker / Powder (9)
 Applicant Name MARKS, LOUIS E.
 Priority Date 06/21/1950
 Issue Date 05/12/2023

Cert# [97063](#)
 Xfer: T-9997
 County/Basin Baker / Powder (9)
 Applicant Name NORTHWEST FARM CREDIT SERVICES FLCA
 KERNS, TIM
 KERNS, JANICE
 Priority Date 11/27/1967
 Issue Date 05/12/2023

Cert# [97064](#)
 Xfer: T-9997
 County/Basin Baker / Powder (9)
 Applicant Name NORTHWEST FARM CREDIT SERVICES FLCA
 KERNS, TIM
 KERNS, JANICE
 Priority Date 12/28/1965
 Issue Date 05/12/2023

Cert# [97062](#)
Xfer: T-8256
County/Basin Polk / Willamette (2)
Applicant Name OGLE, PATRICK A.
RABO AGRIFINANCE INC.
Priority Date 06/11/1971
Issue Date 05/12/2023

Cert# [97049](#)
Xfer: T-12983
County/Basin Marion / Willamette (2)
Applicant Name OLD HILL LLC
Priority Date 01/31/1967
Issue Date 05/12/2023

Cert# [97047](#)
Xfer: T-12764
County/Basin Clackamas / Willamette (2)
Applicant Name RAINES, RONALD
RAINES, BARBARA
Priority Date 02/23/1977
Issue Date 05/12/2023

Cert# [97048](#)
Xfer: T-12764
County/Basin Clackamas / Willamette (2)
Applicant Name RAINES, RONALD
RAINES, BARBARA
Priority Date 04/15/1970
Issue Date 05/12/2023

Cert# [97124](#)
App: G-17490
County/Basin Harney / Malheur Lake (12)
Applicant Name ROCKY MOUNTAIN AGRONOMICS INC.
Priority Date 09/28/2011
Issue Date 05/12/2023

Cert# [97053](#)
Xfer: T-13024
County/Basin Union / Grande Ronde (8)
Applicant Name RUDD FARMS
Priority Date 05/27/1977
Issue Date 05/12/2023

Cert# [97054](#)
Xfer: T-13024
County/Basin Union / Grande Ronde (8)
Applicant Name RUDD FARMS
Priority Date 02/05/1990
Issue Date 05/12/2023

Cert# [97057](#)
Xfer: T-13087
County/Basin Marion / Willamette (2)
Applicant Name SCOTTS CO. LLC
Priority Date 02/10/1983
Issue Date 05/12/2023

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

May 16, 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.