

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
May 23, 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.
- * **Establishment of Mitigation Credits in the Deschutes Basin pursuant to OAR Chapter 690, Division 521 (ORS 537.746)**
- * **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.
- * **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 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: Drought Temporary Transfers**
Requests to temporarily change character of use, place of use or point of diversion during a drought declared under ORS 536.740.

- * **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 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 363 Proposed Final Order to convert instream**

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 Tonya.L.Miller@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

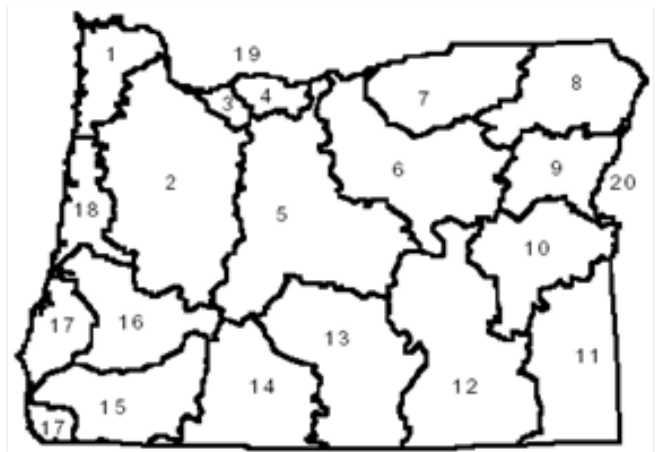
Unit of measure:

- 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
municipal | IL: Irrigation with livestock | PW: Power |
| DO: Domestic | IM: Industrial or manufacturing | QM: Quasi- |
| DS: Domestic & stock
construction | IR: Irrigation | RC: Recreation |
| FI: Fish | IS: Irrigation, supplemental | RW: Road |
| control | LV: Livestock | TC: Temperature |
| FP: Fire protection | LW: Livestock & wildlife | WI: Wildlife |
| FW: Fish & wildlife | MI: Mining | |
| GD: Group domestic | | |

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 22, 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, July 07, 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-89247
County/Basin	Lane / Willamette (2)
Applicant Name	CITY OF EUGENE MILLER, SHELLY 1820 ROOSEVELT BLVD EUGENE, OR 97402
Sources/TRSQ40Q160	RUNOFF > AMAZON CREEK / 17.00S 5.00W 12 NWNW RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 SWSW RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 NWSW RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 NESW RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 SESW RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 SWSE RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 NWSE RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 SWNE RUNOFF > AMAZON CREEK / 17.00S 5.00W 1 SESE
Use/Quantity	WILDLIFE / 55.340 AF
Priority Date	07/11/2022
Stage/Status	IR / PROPOSE TO APPROVE
App#	R-89360
County/Basin	Jackson / Rogue (15)
Applicant Name	WILDERNESS TRAILS INC. 18225 DEAD INDIAN MEMORIAL RD ASHLAND, OR 97520
Sources/TRSQ40Q160	LATGAWA CREEK > SOUTH FORK LITTLE BUTTE CREEK / 38.00S 3.00E 2 SWSW
Use/Quantity	RECREATION / 3.000 AF
Priority Date	04/28/2023
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# [R-88909](#)
County/Basin Umatilla / Umatilla (7)
Applicant Name HAYES, JACOB C.
HAYES, BAILEY E.
85038 WINESAP RD
MILTON FREEWATER, OR 97862
Priority Date 01/07/2021
Issue Date 05/19/2023
Status APPROVED

App# [S-88854](#)
County/Basin Jackson / Rogue (15)
Applicant Name SARIS, CHARLES
SARIS, ELLEN
306 PARK DR
SHADY COVE, OR 97539
Priority Date 07/29/2020
Issue Date 05/19/2023
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-89200](#)
County/Basin Douglas / Umpqua (16)
Applicant Name RUEGG, WILLIAM R.
RUEGG, ELIZABETH J.
2301 NW OCEANIA DR
WALDPORT, OR 97394
RUEGG, WILLIAM R.
RUEGG, ELIZABETH J.
PO BOX 2381
WALDPORT, OR 97394
Priority Date 01/05/2022
Issue Date 05/19/2023
Status APPROVED

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

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:	MP-303 Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of several landowners
Mitigation Project And Process:	Instream Lease IL-1968 - see also instream lease section of this notice for additional application details
Subbasin/Source: Amount of Water:	Whychus Creek subbasin – Whychus Creek, tributary to the Deschutes River Certificate 95971 (PR 1895) up to 1.136 Cubic Foot per Second and 220.8 Acre-Feet for mitigation Certificate 95971 (PR 1899) up to 0.082 Cubic Foot per Second and 15.6 Acre-Feet for restoration only
Current Use:	Certificate 95971 (PR 1903) up to 1.345 Cubic Foot per Second Certificate 95971 (PR 1895) Irrigation of 73.6 acres for mitigation Certificate 95971 (PR 1899) Irrigation of 5.2 acres for restoration Certificate 95971 (PR 1903) Irrigation of 85.4 acres for restoration Certificate 95971 (PR 1904) Irrigation of
Credits Assigned to: Preliminary Mitigation Credit Determination:	Deschutes River Conservancy Mitigation Bank 132.5 mitigation credits that may be available for use in the Whychus Creek and/or General Zones of Impact
Contact:	Sarah Henderson (503) 979-9872
Deschutes County Mitigation Project #: Project Applicant:	MP-304 Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of several landowners
Mitigation Project And Process:	Instream Lease IL-1969 - see also instream lease section of this notice for additional application details
Subbasin/Source: Amount of Water:	Whychus Creek subbasin – Whychus Creek, tributary to the Deschutes River Certificate 95971 up to 3.054 Cubic Foot per Second and 654.3 Acre-Feet for mitigation Certificate 95971 up to 0.007 Cubic Foot per Second and 1.5 Acre-Feet for restoration only
Current Use:	Certificate 95971 Irrigation of 218.1 acres for mitigation Certificate 95971 pond maintenance of 0.5 acres equivalent for restoration
Credits Assigned to: Preliminary Mitigation Credit Determination:	Deschutes River Conservancy Mitigation Bank 392.6 mitigation credits that may be available for use in the Whychus Creek and/or General Zones of Impact
Contact:	Sarah Henderson (503) 979-9872

Deschutes County
Mitigation Project #: **MP-305**
Project Applicant: Deschutes River Conservancy Mitigation Bank and Swalley Irrigation District on behalf of several landowners

Mitigation Project
And Process: Instream Lease IL-1970 - see also instream lease section of this notice for additional application details

Subbasin/Source: Middle Deschutes subbasin - Deschutes River tributary to the Columbia River
Amount of Water: up to 0.949 Cubic Foot per Second and 303.77 Acre-Feet for Irrigation
up to 0.284 Cubic Foot per Second and 90.83 Acre-Feet for Nursery

Current Use: Irrigation of 55.71 acres
Nursery of 16.67 acres

Credits Assigned to: Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation
Credit Determination: 130.3 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 #: **MP-306**
Project Applicant: Deschutes River Conservancy Mitigation Bank and Three Sisters Irrigation District on behalf of City of Sisters

Mitigation Project
And Process: Instream Lease IL-1974 - see also instream lease section of this notice for additional application details

Subbasin/Source: Whychus Creek subbasin – Whychus Creek, tributary to the Deschutes River
Amount of Water: Certificate 93680 up to 0.860 Cubic Foot per Second and 184.2 Acre-Feet for mitigation
Certificate 93681 up to 0.497 Cubic Foot per Second and 106.50 Acre-Feet for mitigation
Certificate 93683 up to 0.098 Cubic Foot per Second and 21.00 Acre-Feet f

Current Use: Certificate 93680 Irrigation of 61.4 acres for mitigation
Certificate 93681 Irrigation of 35.5 acre for mitigation
Certificate 93683 Irrigation of 7.0 acres for mitigation

Credits Assigned to: Deschutes River Conservancy Mitigation Bank
Preliminary Mitigation
Credit Determination: 187.0 mitigation credits that may be available for use in the Whychus Creek and/or General Zones of Impact

Contact: Sarah Henderson (503) 979-9872

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-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
Issue Date	05/17/2023
Status	APPROVED

**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 22, 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-14898
Permit Number	G-17129
County/Basin	Umatilla / Umatilla (7)
Applicant Name	DERUWE, SHANE 85201 HUDSON BAY RD MILTON FREEWATER, OR 97862
Sources/TRSQ40Q160	A WELL > RAYMOND GULCH BASIN / 6.00N 33.00E 13 SWNW A WELL > RAYMOND GULCH BASIN / 6.00N 33.00E 13 SWSW A WELL > RAYMOND GULCH BASIN / 6.00N 33.00E 13 NWSW A WELL > RAYMOND GULCH BASIN / 6.00N 33.00E 13 SENW
Use/Quantity	IRRIGATION / 2.640 CFS
Proposed Completion Date	10/01/2032

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 13, 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-1919](#)
Certificate 94012
Lessor CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
ATTN: ANTON CHIONO
46111 TIMINE WAY
PENDLETON, OR 97801

Lessee HUMPHREYS, JESSICA
TROUT UNLIMITED
401 NE 1ST ST
ENTERPRISE, OR 97828

Priority Date 12/31/1866
Source/Tributary To CATHERINE CREEK / GRANDE RONDE RIVER

Lease# [IL-1968](#)
Certificate 93689, 93690, 93692, 95971
Lessor THALACKER, MARC
THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759

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

Priority Date 12/31/1908, 10/07/1912, 12/31/1908, 12/31/1895
Source/Tributary To WHYCHUS CREEK / DESCHUTES RIVER

Lease# [IL-1969](#)
Certificate 95971
Lessor THALACKER, MARC
THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759

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

Priority Date 12/31/1895
Source/Tributary To WHYCHUS CREEK / DESCHUTES RIVER

Lease# [IL-1970](#)
Certificate 74145
Lessor SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701

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

Priority Date 09/01/1899
Source/Tributary To DESCHUTES R / COLUMBIA R

Lease# [IL-1971](#)
Certificate 93490, 74312, 74367, 93492, 94244, 95429
Lessor PERKINS, LES
FARMERS IRRIGATION DISTRICT
1985 COUNTRY CLUB RD
HOOD RIVER, OR 97031

Lessor SAUNDERS, MEGAN
FARMERS IRRIGATION DISTRICT
1985 COUNTRY CLUB RD
HOOD RIVER, OR 97031

Priority Date 12/05/1974, 05/10/1920, 01/21/1985, 12/31/1900, 07/28/1977, 05/07/1906
Source/Tributary To HOOD RIVER / COLUMBIA RIVER
UNNAMED SPR / COLUMBIA RIVER
A WELL / HOOD RIVER BASIN
A SPRING / INDIAN CREEK

Lease# [IL-1972](#)
Certificate 46685
Lessor GRIER, GEORGE W.
1342 1/2 N 66TH ST
SPRINGFIELD, OR 97478

Lessor PAPPAS, CYNTHIA
1342 1/2 N 66TH ST
SPRINGFIELD, OR 97478

Priority Date 03/08/1972
Source/Tributary To CEDAR FLAT CREEK / MCKENZIE RIVER

Lease# [IL-1973](#)
Certificate 2616
Lessor HOEFT, LARRY S.
68060 HIGHWAY 395 S
PENDLETON, OR 97801

Lessor HOEFT, BECKY
68060 HIGHWAY 395 S
PENDLETON, OR 97801

Lessee PENVOSE, AARON
TROUT UNLIMITED
621 MAIN ST STE C
LEWISTON, ID 83501

Priority Date 12/31/1904
Source/Tributary To BIRCH CREEK / UMATILLA RIVER

Lease# [IL-1974](#)
Certificate 93683, 93680, 93681
Lessor THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759

Lessee HUBERT, GENEVIEVE
DESCHUTES RIVER CONSERVANCY MITIGATION BANK
700 NW HILL ST STE 1
BEND, OR 97703
Priority Date 12/31/1886, 12/31/1881, 12/31/1880
Source/Tributary To WHYCHUS CREEK / DESCHUTES RIVER

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 22, 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-14099](#) filed by Cleaver Land, LLC, C/O Alan Cleaver, PO Box 1191, Hermiston, OR 97838 proposes a change in point of diversion, a change in place of use, and a change the character of use under Certificate 53653. The right allows the use of 1.68 cubic feet per second from Columbia River, John Day Pool, in Sec. 17, T5N, R28E, WM for irrigation in Sec. 29, T5N, R28E, WM. The applicant proposes to move the point of diversion within Sec. 17, T5N, R28E, WM and to change the place of use to within the City of Umatilla water service area and to change the character of use to municipal use. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-14109](#) filed by Bell "A" Land and Cattle Company, PO Box 97, La Pine, OR 97339, proposes a change in place of use under Certificate 95746. The right allows the use of one-fortieth of one cubic foot per second, or its equivalent for each acre irrigated, from May 23 to August 20, and one-eightieth of one cubic foot per second, or its equivalent for each acre irrigated, from April 1 to May 23 and from August 20 to November 1 from the Little Deschutes River in Sec. 34, T23S, R9E, WM for irrigation in Sec. 34, T22S, R10E, WM. The applicant proposes to change the place of use to Sects. 14 and 26, T23S, 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-13749](#) filed by Big Falls Ranch, Rex Barber, PO Box 434, Terrebonne, OR 97760, proposes a change in surface water points of diversion to groundwater points of appropriation under Certificate 76372. The right allows the use of 1.89 cubic feet per second from an unnamed stream (McKenzie Canyon) in Sec. 4, T14S, R12E, WM for Supplemental Irrigation in Sects. 8 and 17, T14S, R12E, WM. The applicant proposes groundwater points of appropriation in Sects. 9, 17 and 18, T14S, R12E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

[T-13850](#) filed by US Army Corps of Engineers, Portland District, PO Box 2946, Portland, OR 97208, and Bonneville Power Administration and Army Corps of Engineers, Walla Walla District, Building 206, City Council Airport, Walla Walla, WA 99362 proposes a change in point of appropriation under Certificate 72182. The right allows the use of 9.11 cubic feet per second from four wells in Sects. 15 and 16, T5N, R26E, WM for fish culture in Sec. 15, T5N, R26E, WM. The applicant proposes to move one point of appropriation, Well 4, to within Sec. 16, T5N, R26E, 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: Drought Temporary Transfer

During the effective time period of a drought declaration under ORS 536.740, the Commission or the Director may: (1) Allow a temporary transfer of a water right without complying with the notice and waiting requirements of ORS 540.520; (2) Allow a temporary exchange of water without giving notice as required under ORS 540.535; and (3) Use an expedited notice and waiting requirement for the substitution of a supplemental ground water right for a primary water right.

Notice is given that the following applications for Drought Temporary Transfers have been received by the Department. Consistent with the drought emergency, an order approving or denying the drought transfer will be issued as soon as the Department is able to process the application.

Transfer	T-14247
Water Right	Cert: 83252, 83560, 65327
County/Basin	Wasco, Wheeler / John Day (6)
Applicant Name	SHERRILL, PAUL WFR WATER LLC 1 MUDDY RD ANTELOPE, OR 97001
Proposed Change Sources/TRSQ40Q160	POINT OF DIVERSION, PLACE OF USE, USE JOHN DAY RIVER > COLUMBIA RIVER / 8.00S 19.00E 22 NWNW JOHN DAY RIVER > COLUMBIA RIVER / 8.00S 19.00E 23 SESW
Use/Quantity	IRRIGATION / 1.340 CFS IRRIGATION / 0.330 CFS IRRIGATION / 0.150 CFS
Priority Date	05/10/1977, 06/08/1982, 06/28/1984

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 22, 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-14242
County	Morrow
Certificate	Certificates 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

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 **2023-012**
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: 0.58
Authorized POU: T17S R13E 31 SENE
Proposed POU: T17S R13E 31 SENE

Notice **2023-013**
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: 0.34
Authorized POU: T15S R12E 25 NESW
Proposed POU: T15S R12E 25 NESW

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 John Day (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.

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# [97083](#)
App: S-85694
County/Basin Douglas / Umpqua (16)
Applicant Name BOOHER, CARLA
BOOHER, RUDI
Priority Date 07/07/2003
Issue Date 05/19/2023

Cert# [97042](#)
App: R-87433
County/Basin Josephine / Rogue (15)
Applicant Name CALABRESE, ADRIENNE
Priority Date 04/06/2009
Issue Date 05/19/2023

Cert# [97147](#)
App: S-19447
County/Basin Hood River / Hood (4)
Applicant Name CITY OF HOOD RIVER
Priority Date 08/07/1941
Issue Date 05/19/2023

Cert# [97084](#)
Xfer: T-13041
County/Basin Wallowa / Grande Ronde (8)
Applicant Name FOX, RON
FOX, PAT
Priority Date 05/26/1952
Issue Date 05/19/2023

Cert# [97151](#)
App: G-13353
County/Basin Washington / Willamette (2)
Applicant Name PARRETT MOUNTAIN VIEW ESTATES OWNERS ASSOCIATION
Priority Date 03/03/1993
Issue Date 05/23/2023

Cert# [97072](#)
App: S-88719
County/Basin Jackson / Rogue (15)
Applicant Name WILLIS, JIMMIE R.
WILLIS, CYNTHIA A.
Priority Date 07/17/2019
Issue Date 05/19/2023

Notice of Proposed Final Order & Draft Certificate to Convert Instream Hydroelectric Project HE 363

The Department seeks public comments, on the following Proposed Final Orders to reauthorize minor hydroelectric projects. Comment's, Protests, or Request for Standing must be submitted within 60 days of publication of this notice.

The Proposed Final Order and draft certificate may 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 documents, please contact Craig Kohanek at 503-986-0823. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e). **Comment's, Protests, or Request for Standing must be received by the Oregon Water Resources Department by 5:00 pm, July 21, 2023.**

Water right:	Time-limited License HE 363
Amount of water:	500 cubic feet per second (cfs)
Source of water:	Umatilla River, tributary to Columbia River
Point water is protected:	SE ¼ SW 1/4, SECTION 16, Township 4 North, Range 28 EAST W.M.

The Oregon Water Resource Department (OWRD) requests that parties interested in providing comments, protests, or requests for standing on the conversion of this hydroelectric water right into a instream water right should contact Craig Kohanek at 503-979-3185 or Ron.c.kohanek@water.oregon.gov Copies of this application are available upon request.

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS

May 23, 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.