

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
August 8, 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.
- * **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.
- * **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 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.
- * **Notice of Proposed Final Order HE556 Jones**

* **Notice of Proposed Final Order HE552 Blacklaw**

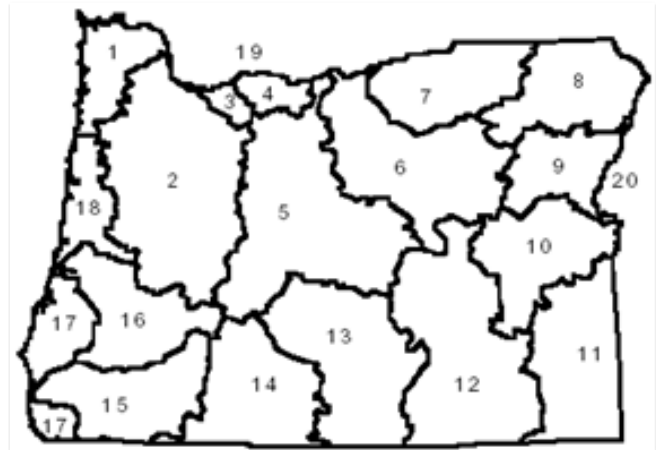
The Public Notice is published each week on the Department's web site at www.oregon.gov/OWRD. If you would like to receive a **free** weekly notification when it is published, please send your request to Tonya.L.Miller@water.oregon.gov.

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

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 | |

Priority Date

Stage/Status

- IR: Initial Review
- PFO: Proposed Final Order

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, September 07, 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, September 22, 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-89352
County/Basin	Polk / Willamette (2)
Applicant Name	KUENZI FAMILY VINEYARD KUENZI, ART 7975 SPRING VALLEY RD NW SALEM, OR 97304
Sources/TRSQ40Q160	A SPRING > SPRING VALLEY CREEK / 6.00S 3.00W 18 SWNW
Use/Quantity	COMMERCIAL USES / 0.007 CFS
Priority Date	03/23/2023
Stage/Status	PFO / 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-1920](#)
County/Basin Jackson / Rogue (15)
Applicant Name SHADY COVE WATERWORKS LLC
PO BOX 699
NEWBERG, OR 97132
Issue Date 08/01/2023
Status APPROVED

App# [LL-1941](#)
County/Basin Malheur / Owyhee (11)
Applicant Name HITECH MINERALS, INC.
A JINDALEE RESOURCES LIMITED CO.
241 RIDGE STREET, SUITE 210
RENO, NV 89501
Issue Date 08/08/2023
Status APPROVED

App# [R-87622](#)
County/Basin Jackson / Rogue (15)
Applicant Name HILL, JOHN C.
HILL, WESLEY S.
823 ALDER CREEK CREEK DR
MEDFORD, OR 97504
Priority Date 06/17/2010
Issue Date 08/04/2023
Status WITHDRAWN

App# [S-89246](#)
County/Basin Jackson / Rogue (15)
Applicant Name SHORES, TERRY D.
SHORES, TAMARA K.
PO BOX 2022
ROGUE RIVER, OR 97537
Priority Date 06/30/2022
Issue Date 08/04/2023
Status APPROVED

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-19381](#)
County/Basin Jackson / Rogue (15)
Applicant Name ROLEN, TYLER
3315 LITTLE APPELGATE RD
JACKSONVILLE, OR 97530
Sources/TRSQ40Q160 A WELL > LITTLE APPELGATE RIVER / 39.00S 3.00W 24 NENE
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.078 CFS
Priority Date 08/02/2023
Status Under Review

App# [G-19382](#)
County/Basin Jackson / Rogue (15)
Applicant Name BAD COYOTE HOLDINGS INC.
PENDELL, ROB
PO BOX 4353
MEDFORD, OR 97501
Sources/TRSQ40Q160 A WELL > TALLOWBOX CREEK / 39.00S 4.00W 5 SWNE
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.010 CFS
Priority Date 08/04/2023
Status Under Review

App# [G-19383](#)
County/Basin Jackson / Rogue (15)
Applicant Name RSF ENTERPRISES LLC
ROLEN, TYLER
3315 LITTLE APPELGATE RD
JACKSONVILLE, OR 97530
Sources/TRSQ40Q160 A WELL > THOMPSON CREEK / 39.00S 4.00W 8 NENW
Use/Quantity SUPPLEMENTAL IRRIGATION / 0.078 CFS
Priority Date 08/07/2023
Status Under Review

**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 September 07, 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-17626](#)
Permit Number G-17147
County/Basin Polk / Willamette (2)
Applicant Name CACEU, BOGDAN
6722 SE REED COLLEGE PLACE
PORTLAND, OR 97202
Sources/TRSQ40Q160 A WELL > NORTH FORK ASH CREEK / 8.00S 5.00W 6 NWSE
A WELL > NORTH FORK ASH CREEK / 8.00S 5.00W 6 NESE
Use/Quantity POND MAINTENANCE / 3.000 AF
Proposed Completion Date 10/01/2028

App# [G-17709](#)
Permit Number G-17287
County/Basin Baker / Powder (9)
Applicant Name DUNLAP, JOHN E.
DUNLAP, SUSAN L.
PO BOX 246
HAINES, OR 97833
Sources/TRSQ40Q160 A WELL > POWDER RIVER / 8.00S 41.00E 24 NENE
A WELL > POWDER RIVER / 8.00S 41.00E 24 NWNE
A WELL > POWDER RIVER / 8.00S 41.00E 13 NWNE
A WELL > POWDER RIVER / 8.00S 41.00E 13 SWNE
Use/Quantity IRRIGATION / 5.000 CFS
Proposed Completion Date 10/01/2024

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 September 07, 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-14287
Water Right	Cert: 95394 (T-13190), 96728
County/Basin	Marion / Willamette (2)
Applicant Name	FESSLER, TOM FESSLER FAMILY LLC 13009 MCKEE SCHOOL RD WOODBURN, OR 97071
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > PUDDING RIVER BASIN / 5.00S 1.00W 33 SWNE
Use/Quantity	NURSERY USES / 1.370 CFS IRRIGATION / 0.372 CFS
Priority Date	03/24/1995, 03/24/1995
Transfer	T-14288
Water Right	Cert: 75776 (T-7335), 87974, 95394 (T-13190)
County/Basin	Marion / Willamette (2)
Applicant Name	FESSLER, TOM FESSLER FAMILY LLC 13009 MCKEE SCHOOL RD WOODBURN, OR 97071
Proposed Change	ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > PUDDING RIVER BASIN / 5.00S 1.00W 33 SWNE ZOLLNER CREEK > PUDDING RIVER / 5.00S 1.00W 33 SENW
Use/Quantity	NURSERY USES / 1.370 CFS IRRIGATION / 0.110 CFS IRRIGATION / 0.050 CFS
Priority Date	02/15/1954, 02/15/1954, 03/24/1995
Transfer	T-14293
Water Right	Cert: 80155
County/Basin	Yamhill / Willamette (2)
Applicant Name	JOHNSTON, KIT 11320 SE LAFAYETTE HWY DAYTON, OR 97114
Proposed Change	ADDITIONAL POINT OF APPROPRIATION
Sources/TRSQ40Q160	A WELL > WEST FORK PALMER CREEK / 4.00S 3.00W 31 SESW
Use/Quantity	IRRIGATION / 0.190 CFS
Priority Date	11/28/1994

Transfer [T-14290](#)
Water Right Cert: 86792, 88618, 95117
County/Basin Lake / Goose & Summer Lake (13)
Applicant Name TABLE ROCK HAY AND CATTLE LLC
PO BOX 238
CHRISTMAS VALLEY, OR 97641
Proposed Change PLACE OF USE
Sources/TRSQ40Q160 A WELL > FORT ROCK BASIN / 28.00S 16.00E 10 SWSE
A WELL > FORT ROCK BASIN / 28.00S 16.00E 11 SWNE
A WELL > FORT ROCK VALLEY / 28.00S 16.00E 11 SWNE
Use/Quantity IRRIGATION / 0.090 CFS
IRRIGATION / 0.900 CFS
IRRIGATION / 0.100 CFS
Priority Date 03/22/1983, 03/22/1983, 03/22/1983

Transfer [T-14294](#)
Water Right Cert: 48627, 89100
County/Basin Lincoln / Middle Coast (18)
Applicant Name NEBEL, SPENCER
CITY OF NEWPORT
169 SW COAST HWY
NEWPORT, OR 97365
Proposed Change POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160 BIG CREEK > PACIFIC OCEAN / 10.00S 11.00W 33 NESE
Use/Quantity MUNICIPAL USES / 345.000 AF
MUNICIPAL USES / 625.000 AF
Priority Date 03/24/1967, 06/05/1968, 06/27/1974

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-14289
Water Right	Cert: 38463
County/Basin	Lane / Willamette (2)
Applicant Name	DEFOE, RONALD M. 90751 PRARIE RD EUGENE, OR 97402
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	WELL 1 > WILLAMETTE RIVER / 17.00S 4.00W 3 NWNE WELL 2 > WILLAMETTE RIVER / 17.00S 4.00W 3 NENW
Use/Quantity	IRRIGATION / 0.740 CFS IRRIGATION / 0.940 CFS
Priority Date	04/05/1967
Transfer	T-14291
Water Right	Cert: 44853
County/Basin	Malheur / Owyhee (11)
Applicant Name	ANDERSON, PATRICK 1259 DANNER ROAD JORDAN VALLEY, OR 97910
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	ANDERSON WELL NO 1 > JORDAN CREEK / 30.00S 45.00E 1 NESE
Use/Quantity	SUPPLEMENTAL IRRIGATION / 3.686 CFS
Priority Date	10/23/1964
Transfer	T-14295
Water Right	Cert: 33571, 76441, 76442
County/Basin	Benton / Willamette (2)
Applicant Name	GREEN SPRING FARMS; ATTN KEVIN LEHAR 8930 SUUVER RD MONMOUTH, OR 97361
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	LUCKIAMUTE RIVER > WILLAMETTE RIVER / 10.00S 6.00W 29 SENW LUCKIAMUTE RIVER > WILLAMETTE RIVER / 10.00S 6.00W 30 SESE LUCKIAMUTE RIVER > WILLAMETTE RIVER / 10.00S 6.00W 29 NWNE
Use/Quantity	IRRIGATION / 1.239 CFS IRRIGATION / 0.130 CFS IRRIGATION / 0.740 CFS
Priority Date	03/20/1962, 10/12/1951, 05/04/1970

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	T-14292
Water Right	Permit: S-49245
County/Basin	Benton / Willamette (2)
Applicant Name	WORKMAN, CHRIS CITY OF PHILOMATH PO BOX 400 PHILOMATH, OR 97370
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	MARYS RIVER > WILLAMETTE RIVER / 12.00S 6.00W 11 SESE
Use/Quantity	MUNICIPAL USES / 3.500 CFS
Priority Date	01/28/1985

Notice of Draft Proposed Final Orders to Reauthorize Minor Hydroelectric Project

The Department seeks public comments, on the following Draft Proposed Final Orders to reauthorize minor hydroelectric projects. Comments must be submitted within 60 days of publication of this notice.

The applications and Draft Proposed Final Orders 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 503-979-3185. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e). **Comments must be received by the Oregon Water Resources Department by 5:00 pm, October 8, 2023.**

Application:	HE 556
Applicant:	Richard Jones
Amount of water:	0.1333 cubic foot per second (cfs)
Source of water:	Unnamed stream, tributary to Cow Creek
Points of Diversion:	SW ¼ SW 1/4, Section 11, Township 32 South, Range 5 West, W.M.
Place of Use:	NE¼ NW 1/4, of Section 14, Township 32 South, Range 5 West, W.M.
Purpose:	Onsite household use.
Power developed:	Up to 3.6 Theoretical horsepower

The Oregon Water Resource Department (OWRD) requests that parties interested in providing comments on the application or receiving future notices about the application and participating in the reauthorization process, contact Craig Kohanek at 503-979-3185 or Ron.c.kohanek@water.oregon.gov. Copies of this application are available upon request.

Notice of Draft Proposed Final Orders to Reauthorize Minor Hydroelectric Project

The Department seeks public comments, on the following Draft Proposed Final Orders to reauthorize minor hydroelectric projects. Comments must be submitted within 60 days of publication of this notice.

The applications and Draft Proposed Final Orders 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 503-979-3185. A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e). **Comments must be received by the Oregon Water Resources Department by 5:00 pm, October 8, 2023.**

Application:	HE 552
Applicant:	William Blacklaw
Amount of water:	1 cubic foot per second (cfs)
Source of water:	Singing Hills Reservoir, unnamed drainage, tributary to Parrott Creek
Points of Diversion:	SE¼ NE 1/4, Section 30, Township 3 South, Range 2 East, W.M.
Place of Use:	NE¼ SE 1/4, of Section 3, Township 7 South, Range 2 East, W.M.
Purpose:	Reverse metering agreement with utility.
Power developed:	Up to 9.7 Theoretical horsepower

The Oregon Water Resource Department (OWRD) requests that parties interested in providing comments on the application or receiving future notices about the application and participating in the reauthorization process, 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

August 8, 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.