

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS  
October 17, 2023

*This notice is also available on our web page at the following address:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_notice\\_view/?notice\\_id=21](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.
- \* **Extension of Time Checkpoint Progress Reports filed pursuant to OAR 690-315**  
Documents the progress made toward development of the water use project since approval of the last permit extension and/or the last progress report checkpoint. (OAR 690-315 pertains to permit extension applications filed on or after July 1, 2001.)
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **Transfer 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.

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

## 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**

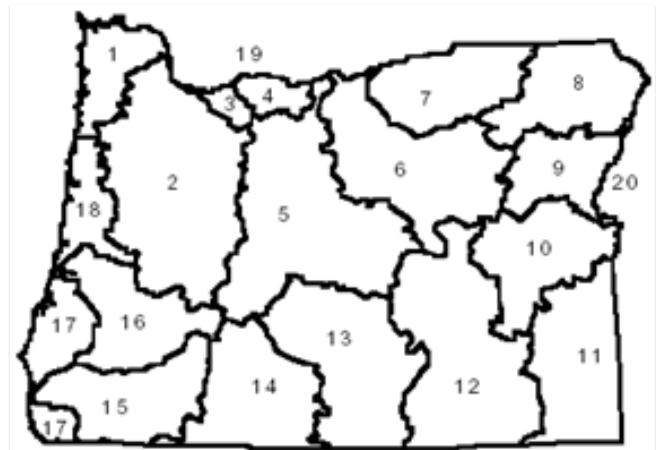
Unit of measure:

- 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, November 16, 2023.** Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

### **Proposed Final Order Stage (PFO)**

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$35. (Any person paying \$35 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Those disagreeing with the Department's decision as expressed in the PFO have 45 days to file a protest.

**The protest deadline for proposed final orders appearing in this public notice is 5pm, Friday, December 01, 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-89287](#)  
County/Basin Wheeler / John Day (6)  
Applicant Name TWO BROTHERS RANCH LLC  
ATTN: ANDREW CORNELL  
61583 HOSMER LAKE DR  
BEND, OR 97702  
Sources/TRSQ40Q160 MARSHALL CREEK > MOUNTAIN CREEK / 11.00S 22.00E 36 SESE  
UNNAMED STREAM > MOUNTAIN CREEK / 11.00S 22.00E 36 SESE  
Use/Quantity STORAGE / 9.1000 AF  
Priority Date 10/24/2022  
Stage/Status PFO / PROPOSE TO APPROVE

App# [S-89169](#)  
County/Basin Baker / Powder (9)  
Applicant Name STATEN, NANCY M.  
41952 ATWOOD RD  
BAKER CITY, OR 97814  
Sources/TRSQ40Q160 SPRINGS > BALDOCK SLOUGH / 9.00S 40.00E 16 NESE  
A RESERVOIR > BALDOCK SLOUGH / 9.00S 40.00E 10 SESW  
Use/Quantity IRRIGATION / 0.080 CFS  
IRRIGATION / 0.960 AF  
Priority Date 10/14/2021  
Stage/Status IR / PROPOSE TO DENY

## **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#	<a href="#">S-88915</a>
County/Basin	Washington / Willamette (2)
Applicant Name	CITY OF BANKS POC: JOLYNN BECKER 13680 NW MAIN ST BANKS, OR 97106
Priority Date	01/22/2021
Issue Date	10/06/2023
Status	APPROVED
App#	<a href="#">S-89340</a>
County/Basin	Polk / Willamette (2)
Applicant Name	HORTON JOINT REVOCABLE LIVING TRUST 14850 AIRLIE RD MONMOUTH, OR 97361
Priority Date	02/21/2023
Issue Date	10/06/2023
Status	APPROVED
App#	<a href="#">S-89352</a>
County/Basin	Polk / Willamette (2)
Applicant Name	KUENZI FAMILY VINEYARD KUENZI, ART 7975 SPRING VALLEY RD NW SALEM, OR 97304
Priority Date	03/23/2023
Issue Date	10/13/2023
Status	APPROVED

## **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 December 01, 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.

App# [R-88340](#)  
Permit# R-15211  
County/Basin Polk / Willamette (2)  
Applicant Name HAMILTON FARMS LLC  
ATTN: MATT HAMILTON  
14190 AIRLIE RD  
MONMOUTH, OR 97361  
Sources/TRSQ40Q160 RUNOFF > PETERSON CREEK / 9.00S 5.00W 33 NWNW  
PETERSON CREEK > BERRY CREEK / 9.00S 5.00W 32 NENE  
A RESERVOIR > PETERSON CREEK / 9.00S 5.00W 33 NWNW  
Use/Quantity MULTIPLE PURPOSE / 90.000 AF

App# [G-18516](#)  
Permit# G-17958  
County/Basin Yamhill / Willamette (2)  
Applicant Name DURANT VINEYARDS  
DURANT, KEN  
PO BOX 99  
DUNDEE, OR 97115  
Sources/TRSQ40Q160 A WELL > YAMHILL RIVER BASIN / 4.00S 3.00W 3 NESW  
Use/Quantity COMMERCIAL USES / 0.170 CFS

App# [G-17626](#)  
Permit# 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

App# [S-88362](#)  
Permit# S-55096  
County/Basin Linn / Willamette (2)  
Applicant Name MCDONALD LIVING TRUST  
MCDONALD, KEVIN G.  
MCDONALD, ANDRIA K.  
PO BOX 159  
HALSEY, OR 97348  
Sources/TRSQ40Q160 MUDDY CREEK > MCKENZIE RIVER / 14.00S 4.00W 23 SENE  
BLUE RIVER RESERVOIR > BLUE RIVER / 16.00S 4.00E 16 SESE  
COUGAR RESERVOIR > SOUTH FORK MCKENZIE RIVER / 16.00S 5.00E 31 SESE  
Use/Quantity IRRIGATION / 55.000 AF

**Extensions of Time Progress**  
**Checkpoint Progress Reports filed pursuant to OAR 690-315**

**Consistent with OAR 690-315-0050(6), the Department will accept public comment on the following Extension of time Checkpoint Progress Reports until November 16, 2023.** Comments must be in writing and must indicate the application file and permit numbers. Following the comment period, the Department shall review evidence to determine whether or not the permit holder has been diligent in developing and perfecting the water use permit and has complied with all terms and conditions of the permit and/or extension of time. Additionally, the Department will provide notice of its determination to anyone who has submitted comments.

App# [S-87220](#)  
Permit Number S-54576  
County/Basin Benton / Willamette (2)  
Applicant Name GREENBERRY IRRIGATION DISTRICT  
30742 VENELL PLACE  
CORVALLIS, OR 97333  
Use IRRIGATION

App# [G-13473](#)  
Permit Number G-12293  
County/Basin Yamhill / Willamette (2)  
Applicant Name MONROVIA NURSERY CO.  
13455 SE LAFAYETTE HWY  
DAYTON, OR 97114  
Use NURSERY USES

App# [S-87035](#)  
Permit Number S-54575  
County/Basin Benton / Willamette (2)  
Applicant Name GREENBERRY IRRIGATION DISTRICT  
30742 GREENBERRY PLACE  
CORVALLIS, OR 97333  
Use SUPPLEMENTAL IRRIGATION

App# [S-87034](#)  
Permit Number S-54869  
County/Basin Benton / Willamette (2)  
Applicant Name OBRIEN, DAN  
30742 GREENBERRY PLACE  
CORVALLIS, OR 97333  
Use IRRIGATION

App# [S-84436](#)  
Permit Number S-54573  
County/Basin Benton / Willamette (2)  
Applicant Name GREENBERRY IRRIGATION DISTRICT  
30742 VENELL PLACE  
CORVALLIS, OR 97333  
Use SUPPLEMENTAL IRRIGATION



App#	<a href="#">G-11899</a>
Permit Number	G-11328
County/Basin	Deschutes / Deschutes (5)
Applicant Name	SUN MOUNTAIN WATER SYSTEM INC. PO BOX 9295 BEND, OR 977089295
Use	DOMESTIC EXPANDED

## 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 November 07, 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#	<a href="#">IL-1708</a>
Certificate	87427
Lessor	INTERNATIONAL PAPER CO. 801 42ND STREET SPRINGFIELD, OR 97478
CWRE	RESSLER, THEODORE SUMMIT WATER RESOURCES LLC 4784 SE 17TH AVENUE, SUITE 111 PORTLAND, OR 97202
Priority Date	12/27/1950
Source/Tributary To	MCKENZIE RIVER / WILLAMETTE RIVER

## Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before November 16, 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	<a href="#">T-14338</a>
Water Right	Cert: 14461
County/Basin	Harney / Malheur Lake (12)
Applicant Name	SINGHOSE, PHILLIP & LORISSA UPPER VALLEY SILVER CREEK PO BOX 55 RILEY, OR 97758
Proposed Change	ADDITIONAL POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	SILVER CREEK > HARNEY LAKE / 21.00S 26.00E 29 SENW
Use/Quantity	IRRIGATION / 2.990 CFS
Priority Date	02/17/1939

## Notice of District Permanent Transfer for Place of Use

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

Notice	<b>2023-018</b>
County	Deschutes
Certificate	94956, 76714
Priority Date	10/31/1900; 12/2/1907; 2/28/1913
Name	CENTRAL OREGON IRRIGATION DISTRICT
Address	1055 S.W. LAKE CT REDMOND, OR 97756
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	DESCHUTES R > COLUMBIA R CRANE PRAIRIE RES > DESCHUTES
Acres:	0.42
Authorized POU:	T18S R13E 03 NENE
Proposed POU:	T18S R13E 03 NENE

## **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 Beaverton (Municipal)**

To review any of the above progress report(s) or to provide comments on the progress report(s), contact Kerri Cope at 503-979-9544 or [Kerri.H.Cope@water.oregon.gov](mailto:Kerri.H.Cope@water.oregon.gov) or Tamera Smith at 458-253-0597 or [Tamera.L.Smith@water.oregon.gov](mailto: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# [97382](#)  
Xfer: T-10481  
County/Basin Deschutes / Deschutes (5)  
Applicant Name BERG, CARL  
Priority Date 03/10/1994  
Issue Date 10/13/2023

Cert# [97372](#)  
Xfer: T-10501  
County/Basin Lake / Goose & Summer Lake (13)  
Applicant Name GRASSMAN, KENETH; GRASSMAN FARMS  
GRASSMAN, TINA; GRASSMAN FARMS  
GRASSMAN FARMS  
Priority Date 10/08/1975  
Issue Date 10/13/2023

Cert# [97381](#)  
Xfer: T-10955  
County/Basin Columbia / North Coast (1)  
Applicant Name PORTLAND GENERAL ELECTRIC CO.  
Priority Date 08/03/1970  
Issue Date 10/13/2023

Cert# [97373](#)  
Xfer: T-11670  
County/Basin Wheeler / John Day (6)  
Applicant Name STANLEY, MARLENE  
Priority Date 12/31/1880  
Issue Date 10/13/2023

Cert# [97420](#)  
App: G-10483  
County/Basin Wasco / Hood (3)  
Applicant Name MURRAY, GEORGIANA  
Priority Date 08/3/1981  
Issue Date 10/13/2023

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

## PUBLIC NOTICE OF WATER USE REQUESTS

October 17, 2023

Use this form to offer comments on water use requests or other items in this notice, or to order copies of proposed and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under 'View all Scanned Documents' use the "Submit a Public Comment" link.

### Water Use Request Type & File Number

(e.g. "Permit Application G-12345" or "Transfer T-1234"):

Mail me the order

(payment enclosed)\*

### Your Name, Address, and Phone Number:

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\* We are required by law to charge a fee of \$35 to mail a copy of proposed and final orders on a pending permit or permit extension applications to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$35 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. Copies of proposed and final orders are also available for viewing (at no charge) at our Salem office, at the local watermaster office, or online.