

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
November 28, 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.
- * **Alternate Reservoir Applications (ORS 537.409)**
Applications for storage permits for small ponds filed under a simplified review process.
- * **Expedited Secondary Applications to Use Stored Water**
Applications to use stored water exclusively, filed under a simplified review process.
- * **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: 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.
- * **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 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

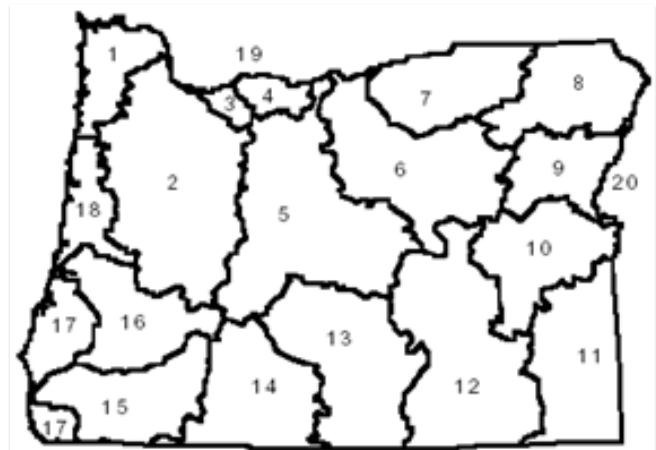
Unit of measure:

- 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, December 28, 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, January 12, 2024.

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#	G-19212
County/Basin	Baker / Powder (9)
Applicant Name	ROWLAND, KYLE 12832 BULGUR FLAT LANE HAINES, OR 97833
Sources/TRSQ40Q160	A WELL > NORTH POWDER RIVER BASIN / 7.00S 38.00E 17 SESE
Use/Quantity	IRRIGATION / 0.500 CFS
Priority Date	10/18/2021
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#	G-19068
County/Basin	Deschutes / Deschutes (5)
Applicant Name	WHITE, BARBARA WHITE, MATT PO BOX 2086 SISTERS, OR 97759
Priority Date	03/01/2021
Issue Date	11/17/2023
Status	APPROVED

App#	S-89260
County/Basin	Lane / Willamette (2)
Applicant Name	MARTIN RAPIDS FARM ATTN: NATHAN MEAD 46688 MCKENZIE HWY VIDA, OR 97488
Priority Date	08/12/2022
Issue Date	11/17/2023
Status	APPROVED

App#	S-89350
County/Basin	Yamhill / Willamette (2)
Applicant Name	HBF ENTERPRISES 23301 SW MCKIBBEN RD SHERIDAN, OR 97378
Priority Date	03/17/2023
Issue Date	11/17/2023
Status	APPROVED

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 January 27, 2024.

App#	R-89417
County/Basin	Polk / Willamette (2)
Applicant Name	THREE SISTERS LAND CO. LLC C/O BRIAN L FIELD 8835 SOUTH LONE ELDER RD CANBY, OR 97013
Sources/TRSQ40Q160	UNNAMED STREAM > SALT CREEK / 6.00S 5.00W 20 SENE
Use/Quantity	MULTIPLE PURPOSE / 55.000 AF
Priority Date	11/17/2023

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 **December 28, 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.

POD 1 is the location of the stored water. POD 2 and any additional points are the diversion point(s).

App#	S-89418
County/Basin	Washington / Willamette (2)
Applicant Name	SWALLOWTAIL SCHOOL 31620 NW CAMP IRELAND ST HILLSBORO, OR 97124
Sources/TRSQ40Q160	A RESERVOIR > MCKAY CREEK / 1.00N 3.00W 25 NENW
Use/Quantity	IRRIGATION / 3.000 AF
Priority Date	11/21/2023

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 December 28, 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-14351
Water Right	Cert: 75779 (T-7484), 86849
County/Basin	Lane / Willamette (2)
Applicant Name	BRAZELTON, DAVID 39938 MCKENZIE HIGHWAY SPRINGFIELD, OR 97478
Proposed Change	POINT OF DIVERSION, SURFACE WATER TO GROUND WATER
Sources/TRSQ40Q160	MCKENZIE RIVER > WILLAMETTE RIVER / 17.00S 1.00W 26 NWNW
Use/Quantity	IRRIGATION / 0.180 CFS IRRIGATION / 0.860 CFS
Priority Date	06/15/1949, 07/25/1940

Notice of 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 \$810 protest fee for non-applicants and a \$410 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 December 28, 2023.**

Notice Regarding Service Members: Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number for the Oregon Military Department is: 1 (971) 355-4127. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>.

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-14355
County	Jackson
Certificate	85288; 80576; 85876; 85877; all in the name of ROGUE RIVER VALLEY IRRIGATION DISTRICT;
Priority Date	07/23/1909; 09/06/1915; 03/31/1910; 06/24/1913
Name	ROGUE RIVER VALLEY IRRIGATION DISTRICT
Address	3139 MERRIMAN ROAD MEDFORD, OR 97501
Use	IRRIGATION; SUPPLEMENTAL IRRIGATION
Source	NORTH AND SOUTH FORKS LITTLE BUTTE CREEK > LITTLE BUTTE CREEK; AGATE RESERVOIR AND DRY CREEK > LITTLE BUTTE CREEK; FOUR MILE LAKE RESERVOIR (WITHIN KLAMATH BASIN) AND FISH LAKE RESERVOIR > ROGUE RIVER; ANTELOPE CREEK > LITTLE BUTTE 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	2023-016
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 AND SUPPLEMENTAL IRRIGATION
Source	DESCHUTES R > COLUMBIA R CRANE PRAIRIE RES > DESCHUTES
Acres:	1.66
Authorized POU:	T17S R12E 28 NENE; T18S R12E 03 NWSE
Proposed POU:	T18S R13E 04 NESE

Notice	2023-024
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 AND SUPPLEMENTAL IRRIGATION
Source	DESCHUTES R > COLUMBIA R CRANE PRAIRIE RES > DESCHUTES
Acres:	3.00
Authorized POU:	T15S R14E 34 NWSE
Proposed POU:	T16S R14E 03 SWNW

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# [97454](#)
Xfer: T-10465
County/Basin Jackson / Klamath (14), Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 03/31/1910
Issue Date 11/28/2023

Cert# [97451](#)
Xfer: T-10465
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 09/14/1899
Issue Date 11/28/2023

Cert# [97452](#)
Xfer: T-10465
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 09/14/1899
Issue Date 11/28/2023

Cert# [97453](#)
Xfer: T-10465
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 07/23/1909
Issue Date 11/28/2023

Cert# [97455](#)
Xfer: T-10465
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 06/24/1913
Issue Date 11/28/2023

Cert# [97458](#)
Xfer: T-9900
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 09/22/1888
Issue Date 11/28/2023

Cert# [97459](#)
Xfer: T-9900
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 09/22/1888
Issue Date 11/28/2023

Cert# [97460](#)
Xfer: T-9900
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 09/22/1888
Issue Date 11/28/2023

Cert# [97461](#)
Xfer: T-9900
County/Basin Jackson / Rogue (15)
Applicant Name CITY OF CENTRAL POINT
Priority Date 09/22/1888
Issue Date 11/28/2023

Cert# [97483](#)
App: G-13106
County/Basin Klamath / Klamath (14)
Applicant Name HORTON, MICHAEL
Priority Date 09/08/1992
Issue Date 11/28/2023

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

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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.