

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 27, 2024

*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.
- * **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.
- * **Applications for Limited Licenses**
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- * **Application for Instream Lease**
Application by water right holder to lease existing water rights to instream use.
- * **Transfer Applications: Regular**
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- * **Transfer Preliminary Determinations**
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.

- * **Transfer Applications: Temporary Transfers**
Requests to temporarily change place of use and, if necessary to convey the water to the new place of use, to temporarily change the point of diversion or appropriation.
- * **Certificate Issuance**
Included in this section is a listing of recently issued water right certificates.

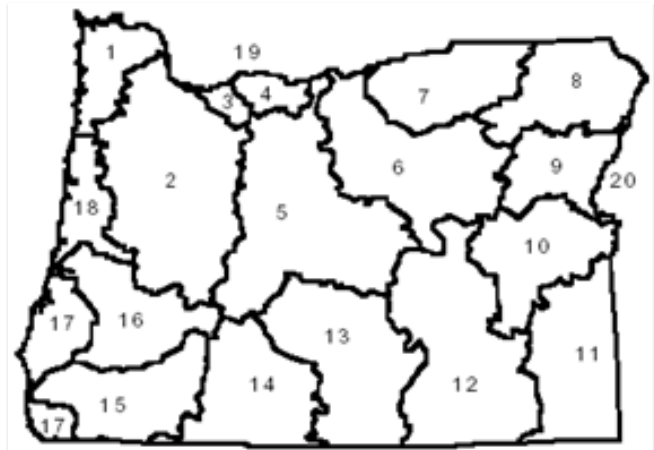
The Public Notice is published each week on the Department's web site at www.oregon.gov/OWRD. If you would like to receive a *free* weekly notification when it is published, please send your request to Tonya.L.Miller@water.oregon.gov

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

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, March 28, 2024.** 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, April 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# [S-89126](#)
County/Basin Columbia / North Coast (1)
Applicant Name YANCE, JOSE
C/O DEMLAND AND CROMWELL LLC
9220 SW BARBUR BLVD SUITE 119, 205
PORTLAND, OR 97219
Sources/TRSQ40Q160 RINEARSON SLOUGH > COLUMBIA RIVER / 7.00N 3.00W 12 NWNW
Use/Quantity IRRIGATION / 1.0694 CFS
Priority Date 06/08/2021
Stage/Status PFO / PROPOSE TO DENY

App# [G-19348](#)
County/Basin Deschutes / Deschutes (5)
Applicant Name CITY OF REDMOND
ATTN: JOSH WEDDING
411 SW 9TH ST
REDMOND, OR 97756
Sources/TRSQ40Q160 A WELL > DESCHUTES RIVER / 15.00S 13.00E 21 NWSE
A WELL > DESCHUTES RIVER / 15.00S 13.00E 10 SWSE
A WELL > DESCHUTES RIVER / 15.00S 13.00E 19 SESW
A WELL > DESCHUTES RIVER / 15.00S 13.00E 9 SWSW
A WELL > DESCHUTES RIVER / 15.00S 13.00E 9 SENW
A WELL > DESCHUTES RIVER / 15.00S 13.00E 9 NESW
Use/Quantity MUNICIPAL USES / 5.120 CFS
Priority Date 01/10/2023
Stage/Status IR / PROPOSE TO DENY

App# [R-89433](#)
County/Basin Douglas / Umpqua (16)
Applicant Name CHRISTOPHER J BENSON AND PAMELA D BENSON REVOCABLE TRUSTDATED 10/31/2017
1506 DARLEY DR
ROSEBURG, OR 97471
Sources/TRSQ40Q160 RUNOFF > SOUTH UMPQUA RIVER / 27.00S 6.00W 2 NENW
Use/Quantity WILDLIFE AND LIVESTOCK / 1.230 AF
Priority Date 01/10/2024
Stage/Status IR / PROPOSE TO DENY

App# [S-89434](#)
County/Basin Coos / South Coast (17)
Applicant Name MARSHA L BODI REVOCABLE LIVING TRUST DATED OCTOBER 17, 2016
KINZER, SARAH
31050 SW LARSON RD
LEBANON, OR 97355
Sources/TRSQ40Q160 UNNAMED STREAM > NORTH TENMILE LAKE / 23.00S 12.00W 10 NWNW
Use/Quantity DOMESTIC / 0.010 CFS
Priority Date 01/08/2024
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# [G-18208](#)
County/Basin Harney / Malheur Lake (12)
Applicant Name ROARING SPRINGS RANCH INC.
31437 HWY 205
FRENCHGLEN, OR 97736
Priority Date 03/04/2016
Issue Date 02/23/2024
Status DENIED

App# [G-18512](#)
County/Basin Linn / Willamette (2)
Applicant Name MILTENBERGER, DANIEL A.
2825 JACKSON ST SE
ALBANY, OR 97322
Priority Date 05/17/2017
Issue Date 02/16/2024
Status DENIED

App# [G-18744](#)
County/Basin Yamhill / Willamette (2)
Applicant Name EMINENT DOMAINE LLC
MEADER, JEFFREY W.
20875 NE RIBBON RIDGE RD
NEWBERG, OR 97132
Priority Date 10/24/2018
Issue Date 02/16/2024
Status DENIED

App# [G-19155](#)
County/Basin Deschutes / Deschutes (5)
Applicant Name WILLIAMS FAMILY REVOKABLE TRUST
66505 GERKING MARKET RD
BEND, OR 97703
Priority Date 06/10/2021
Issue Date 02/16/2024
Status DENIED

App# [G-19181](#)
County/Basin Crook / Deschutes (5)
Applicant Name POR-TAY NORTHWEST, LLC
ATTN: IAN FAHEY
18500 BULL SPRINGS RD
BEND, OR 97703
Priority Date 07/26/2021
Issue Date 02/16/2024
Status DENIED

App#	R-89378
County/Basin	Polk / Willamette (2)
Applicant Name	MANSELL, THEODORE E. 7195 RIDGEWAY RD BOX 427 SHERIDAN, OR 97378
Priority Date	06/29/2023
Issue Date	02/16/2024
Status	DENIED

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 April 27, 2024.

App#	R-89444
County/Basin	Polk / Willamette (2)
Applicant Name	LEDEZMA, JESUS R. 66 S GUN CLUB RD INDEPENDENCE, OR 97351
Sources/TRSQ40Q160	RUNOFF > LUCKIAMUTE RIVER / 9.00S 4.00W 8 SWSE
Use/Quantity	MULTIPLE PURPOSE / 1.000 AF
Priority Date	02/21/2024

**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 March 28, 2024. 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-13949
Permit Number	G-13114
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	BROWN, ADAIR HC 10 BOX 16 DAVIS CREEK, CA 96108
Sources/TRSQ40Q160	A WELL > CRANE CREEK / 40.00S 20.00E 10 NESW A WELL > CRANE CREEK / 40.00S 20.00E 10 SENE A WELL > CRANE CREEK / 40.00S 20.00E 15 SENE
Use/Quantity	IRRIGATION / 6.9180 CFS
Proposed Completion Date	10/01/2028

Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licensees must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after March 12, 2024, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing "LL Application" under "Scanned Documents."

App#	LL-1967
County/Basin	Morrow / Umatilla (7)
Applicant Name	KILKENNY, JOHN KILKENNY, DIANE 79074 HWY 74 HEPPNER, OR 97836
Sources/TRSQ40Q160 Use/Quantity	A WELL > KILKENNY FORK / 2.00S 28.00E 29 NWSW ROAD CONSTRUCTION OR MAINTENANCE AND GENERAL CONSTRUCTION / 0.334 CFS

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 March 19, 2024. 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-484
Certificate	57718 (T-6020) CN, 38691, 37907
Lessor	BARNES, EVAN LOOKINGGLASS OLALLA WATER CONTROL DISTRICT PO BOX 1579 ROSEBURG, OR 97470
Lessor	AVINELIS, THOMAS E. LOOKING GLASS ORGANIC FARMS LLC PO BOX 717 JEFFERSON, OR 97352
Priority Date	12/17/1958, 4/11/1967, 7/29/1965
Source/Tributary To	LOOKINGGLASS CREEK / SOUTH UMPQUA 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 March 28, 2024. 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-14408
Water Right	Cert: 88622, 88673, 88736
County/Basin	Lake / Goose & Summer Lake (13)
Applicant Name	HANSON, MICHAEL & HEIDI P.O. BOX 130 FORT ROCK, OR 97621
Proposed Change	POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > CHRISTMAS LAKE VALLEY / 27.00S 16.00E 5 SWSW A WELL > FORK ROCK BASIN / 27.00S 16.00E 5 SWSW A WELL > FORT ROCK VALLEY / 27.00S 16.00E 5 SWSW
Use/Quantity	IRRIGATION / 0.330 CFS IRRIGATION / 0.380 CFS IRRIGATION / 0.370 CFS
Priority Date	04/10/1984, 09/01/1976, 01/23/1981

Transfer	T-14409
Water Right	Cert: 2993
County/Basin	Wallowa / Grande Ronde (8)
Applicant Name	MELVILLE, KURT 1302 SAGEWOOD ST. ENTERPRISE, OR 97828
Proposed Change	POINT OF DIVERSION, PLACE OF USE
Sources/TRSQ40Q160	PRAIRIE CREEK > WALLOWA RIVER /
Use/Quantity	IRRIGATION / 1.500 CFS
Priority Date	12/31/1889, 12/31/1895

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 March 28, 2024, 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-14209](#) filed by Q Bar X Ranch, PO Box 3210, Kerby, OR 97531, proposes a change in point of diversion under Certificates 3394, 13935, and 20780. Certificate 3394 allows the use of 0.255 cubic foot per second from the Illinois River in Sec. 20, T39S, R8W, WM for irrigation in Sec. 8, T39S, R8W, WM. The applicant proposes to move the points of diversion to within Sects. 4, T39S, R8W, WM. Certificate 13935 allows the use of one cubic foot per second for each 50 acres of land irrigated from the Illinois River in Sec. 20, T39S, R8W, WM for irrigation and supplemental irrigation in Sec. 33, T38S, R8W, WM and Sects. 4, 5 and 8, T39S, R8W, WM. The applicant proposes to move the point of diversion to within Sects. 4 and 16, T39S, R8W, WM. Certificate 20780 allows the use of 1.93 cubic feet per second from the Illinois River in Sec. 20, T39S, R8W, WM for irrigation in Sec. 33, T38S, R8W, WM and Sects. 4, 5, and 8, T39S, R8W, WM. The applicant proposes to move the point of diversion to within Sects. 4 and 16, T39S, R8W, 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: 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-14407
Water Right	Cert: 2679
County/Basin	Umatilla / Umatilla (7)
Applicant Name	BROWN SAYLOR RANCH LLC 22416 ANZA AVE TORRANCE, CA 90505
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	BUTTER CREEK > UMATILLA RIVER / 3.00N 28.00E 19 NESW
Use/Quantity	IRRIGATION, LIVESTOCK AND DOMESTIC / 2.780 CFS
Priority Date	12/31/1866

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#	97601
App:	S-72326
County/Basin	Douglas / Umpqua (16)
Applicant Name	CADDOCK, RICHARD E.
Priority Date	04/16/1992
Issue Date	02/23/2024
Cert#	97649
App:	G-12681
County/Basin	Multnomah / Willamette (2)
Applicant Name	CIRCLE CONSTRUCTION CO.
Priority Date	10/03/1991
Issue Date	02/23/2024
Cert#	97597
App:	S-45826
County/Basin	Hood River / Hood (4)
Applicant Name	CRYSTAL SPRINGS WATER DISTRICT
Priority Date	03/03/1969
Issue Date	02/23/2024
Cert#	97598
App:	G-17182
County/Basin	Multnomah / Willamette (2)
Applicant Name	FELZIEN, PETE; MCKINSTRY CO. LLC MCKINSTRY CO. LLC
Priority Date	02/26/2009
Issue Date	02/23/2024
Cert#	97647
App:	S-54518
County/Basin	Coos / South Coast (17)
Applicant Name	LAFRANCHI, RON
Priority Date	07/16/1976
Issue Date	02/23/2024
Cert#	97599
App:	S-70134
County/Basin	Douglas / Umpqua (16)
Applicant Name	MARTIN FAMILY REVOCABLE TRUST RHODES, WENDY; MARTIN FAMILY REVOCABLE TRUST RHODES, STEVEN; MARTIN FAMILY REVOCABLE TRUST
Priority Date	11/30/1989
Issue Date	02/23/2024
Cert#	97600
App:	S-71731
County/Basin	Yamhill / Willamette (2)
Applicant Name	PALMER CREEK WATER DISTRICT IMPROVEMENT CO.
Priority Date	07/01/1991
Issue Date	02/23/2024

Cert# [97635](#)
App: G-14555
County/Basin Washington / Willamette (2)
Applicant Name SEMINGSON, BRYAN
Priority Date 06/25/1997
Issue Date 02/23/2024

Cert# [97604](#)
App: S-86071
County/Basin Douglas / Umpqua (16)
Applicant Name STUMPE, BRANISLAVA
STUMPE, LEIGHTON
Priority Date 08/13/2004
Issue Date 02/23/2024

Cert# [97602](#)
App: R-73423
County/Basin Curry / South Coast (17)
Applicant Name VON KORFF, MICHAEL
LERESCHE, LINDA
Priority Date 06/01/1993
Issue Date 02/23/2024

Cert# [97603](#)
App: S-73424
County/Basin Curry / South Coast (17)
Applicant Name VON KORFF, MICHAEL
LERESCHE, LINDA
Priority Date 06/01/1993
Issue Date 02/23/2024

OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A
Salem OR 97301

PUBLIC NOTICE OF WATER USE REQUESTS
February 27, 2024

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.